

**BOARD OF SUPERVISORS
SCHUYLKILL TOWNSHIP
75 WALNUT STREET
MARY-D, PA 17952**

The Regular meeting of the Supervisors of Schuylkill Township was held on Monday, April 5th, 2021 at the Municipal Building. The Pledge of the Allegiance was recited. Those present included Charles Hosler, Frank Fabrizio, and Charles Fayash.

Charles Hosler made a motion to approve the March Meeting Minutes. 2nd Fayash. All approved.

Treasurer's Report

\$427,592.93 total in bank accounts. Hosler made a motion to accept the Treasurer's Report pending audit. 2nd Fabrizio. All approved. Visa credit card report - \$44.36 GPS payment.

Public comment on agenda items only - none

Police Report – Approximately 25 calls including speeding citations, stop sign violations, inspection violation, driving under suspension, misc warnings, parking violations, traffic, fire, assist other agencies, abandoned vehicle, civil complaint, accident, drug law violation, PFA notification, welfare check. Fayash stated the police need badges, first aid kit for the police car, and flares.

Hosler made a motion to purchase Enradd system for \$7,394.93 and YCG \$4,175.25. 2nd Fayash. All approved.

Code Enforcement Report – It is reported that they are in the process of doing NOV for properties on Back Street and Dodson Street.

Roadmaster Report- Buccieri stated the township picked up trash and tires on Old 209, scraped roadsides, trimmed back tree branches, dug drains, street signs, cleaned up playground and ball field, patched potholes, and equipment maintenance. Buccieri stated we received the new mower.

Solicitors Report-Atty. Baranko discussed the Zoning Amendment. Gary Feathers stated that Atty. Karpovich asked about getting both boards together along with supervisors and attorneys and zoning officer to discuss the township's issues with the current Zoning Ordinance. Hosler made a motion to set up a meeting with our Zoning Hearing Board, Planning Commission, Supervisors, Attorneys, and Zoning Officer. 2nd Fayash. All approved. Baranko suggested an agenda for the Work Session. LST Ordinance was tabled until next meeting. Hosler made a motion to advertise for the Floodplain Ordinance (2021-1). 2nd Fabrizio. All approved. PJ Melochick, Miller Bros, spoke on behalf of their sister company JLM Enterprises regarding the Brockton Dollar General. Subdivision plan was recommended by our Planning Commission with two waivers: Section 401.2 – submission of a preliminary plan separate from a final plan. JLM requested to submit it as one final plan and forgo the preliminary plan and the other waiver was permanent monuments being set with steel rebars in lieu of concrete monuments. The second plan was a Land Development Plan reviewed by the township engineer and our Planning Commission. Melochick explained the plan. Outside agency - Schuylkill Conservation District issued a permit. DEP determined no (floodplain) permit was needed. The Planning Commission recommended conditional approval in addition to three waivers: providing financial security for site improvements in the form of a bond and developers agreements, Section 401.C - submission of a preliminary plan separate from a final plan. JLM requested to submit it as one final plan and forgo the preliminary plan, Section 608.F.1.C – minimum velocities and swales – a grass swale proposed, and Section 601.I.4.C – minimum bottom slope on basin shall be 2% - basin is flat for the purpose of stormwater filtration. Reduction in parking was also discussed; also submitted a traffic study. A note was added if at any point any time in the future the township sees a parking issue the township reserves the right to come back and ask that the 12 reserved spaces be installed. Melochick asked the Board to grant approval on the subdivision plan grant the two requested waivers

on that plan along with conditional approval on the land development plan with the three waivers. Atty. Baranko discussed the developer's agreement and stormwater management agreement along with the maintenance agreement. Baranko stated Atty. Stern's position is since there will be no dedications here according to the MPC that we do not need a maintenance agreement which will be 18 months after we take the dedication. Section 907 in our ordinance about a maintenance agreement which he will review. Hosler made a motion to conditionally approve the subdivision plan for JLM Enterprises provided that the applicant provide signed and sealed copies of the plan pursuant to Section 503 C 16 of SALDO. 2nd Fayash. All approved. Hosler made a motion to approve the waiver request of Section 401.C of SALDO to allow the submitting of one final plan instead of one preliminary plan and a final plan. 2nd Fayash. All approved. Hosler made a motion to approve waiver request of Section 703.H.1 of SALDO to allow iron pin markers in place of concrete permanent markers. 2nd Fabrizio. All approved. Hosler made a motion to conditionally approve the Land Development Plan for JLM Enterprises providing the applicant providing signed and sealed copies of the plan under Sections 503.C.16 and 502.D.4 of the SALDO. The digital copy provided by the applicant did not bear any seals and signatures. The applicant indicating on the plan the County Tax ID number and source of title information under Section 502.D.12 of the SALDO. The recording information must be updated once the subdivision plan for the development parcel is recorded under Section 502.D.18 of the SALDO. The Township Solicitor should prepare a Development Agreement to be signed and recorded by the applicant that requires the Applicant to post both performance and maintenance bonds for the public improvements or the improvements that may have a public impact under Section 503.D.9 and Article VII of the SALDO. The Applicant's construction cost estimate must be reviewed and approved by the Township Engineer. The Development Agreement should require the applicant to post a bond in the amount of 110% of the total cost of the improvements and a 15% maintenance guarantee for a period of 18 months. The Development Agreement should require the applicant to construct the improvements appearing on the plan in strict accordance with the standards and specification required by the SALDO pursuant to Section 901.A of the SALDO. The Township Solicitor should prepare a Stormwater Maintenance Agreement to be signed and recorded by the applicant that requires the Applicant to post both performance and maintenance bonds to guarantee the construction and maintenance of the stormwater facilities pursuant to the Stormwater Management Ordinance. The Applicant's construction cost estimate must be reviewed and approved by the Township Engineer and the SWA should require the applicant to post 110% of the total cost of the construction of the stormwater facilities and a 15% maintenance guarantee for a period of 18 months. The Development Agreement should require the applicant to construct the stormwater facilities appearing on the plan in strict accordance with the standards and specification required by the SWMO. All aspects of the land development shall conform to the ESP Regional Zoning Ordinance per Section 602.D of the SALDO. The approval should be conditioned upon the applicant obtaining third-party approvals, specifically the NPDES permit. 2nd Fayash. All approved. Hosler made a motion to grant the following waiver: A waiver from Section 401.C of the SALDO to allow the filing of one preliminary/final plan instead of one preliminary plan and one final plan. 2nd Fayash. All approved. Hosler made a motion to grant the following waiver from Section 608.F1.c of the SALDO from the Swale Minimum Velocity of 2 FPS. 2nd Fabrizio. All approved. Hosler made a motion to grant the following waiver from Section 608.1.4.c of the SALDO to allow the minimum bottom slope to be less than 2% for grass detention basins. 2nd Fayash. All approved. Hosler made a motion to grant the following waiver: a waiver from Section 502.H.3.c of the SALDO requiring a traffic impact study. The Planning Commission found that the information provided by the applicant was sufficient in lieu of a formal TIS. The Planning Commission determined that the proposed use will not generate volumes or types of traffic that could negatively impact upon the existing street system within the Township. 2nd Fabrizio. All approved. Baranko asked Melochick if the parking issue will be in a notation on the plan. Melochick stated it is note #13. Fayash questioned Melochick about a drain off of Valley and Emerick. Buccieri discussed another pipe question.

Zoning Report- Two zoning permits were issued in March: Setlock (solar panels) and Braun (fence). One UCC building permits were issued in March: Setlock (solar panels).

Committee Reports

Council of Government-did not meet

Eastern Schuylkill Recreation Committee- Committee did not meet

Tax Collection Committee- Committee did not meet

Communications: PPL rate change due to Entrust stopping services. The Schuylkill Chamber of Commerce recommended to Loren Martello which handled the Entrust change originally. Martello will be researching the rates to see if he can get an electric supplier to match our rate. PSATS communication about the local funding to the township as a part of the \$1.9 trillion coronavirus relief package. Hammond Mining Company letter was discussed with Atty. Baranko. Paul Delpais, tax collector, will be collecting in person payments starting 4/6/2021.

Old Business - Discuss road paving for spring

New Business- Fayash made a motion to have the community yard sale on June 19th from 8am – 2pm with a rain date of June 20th and advertise it. 2nd Fabrizio. All approved. Hosler made a motion to pay PIRMA Invoice for \$10,623 for General Liability, Auto Liability, Law Enforcement Liability, Public Officials Liability. 2nd Fayash. All approved. Hosler made a motion to pay Northern Schuylkill COG membership dues of \$100.00. 2nd Fabrizio. All approved. Planning Commission met on Thursday, March 25th at 6:00 pm to review subdivision/land ordinance application for Brockton Dollar General/JLM. Zoning Hearing Board met on Wednesday, March 24th at 6:00 pm to review the special exception for Setlock solar panels. Zoning Hearing Board will meet on Tuesday, April 27th at 6:00 pm to review the special exception for Feathers storage building. Farber property was discussed regarding if the township will end up being responsible for demolishing the remaining part of the property. Baranko questioned if there was an estate. It was unknown. Barrett stated that Martin Donahue would prefer the board email survey questions rather than meet in person. Discussion ensued. YCG overdue bill for the police stopwatch calibrations. Fayash stated that the reason that the other townships are on there is to get a discount. Discussion ensued. Fayash stated that they were calibrated that Officer Stanell said he was there. Hosler made a motion to pay the YCG bill. 2nd Fayash. All approved. Hosler made a motion for the Garbage bill rate \$184.00 for 2021-22. 2nd Fabrizio. Fayash Nay.

Public Comment – Chris Kostecky, Tuscarora, 409 Coal Street, Tuscarora has multiple vehicles that have not been moved all winter long and being used as a fence for their ATV vehicles, dune buggies, tires, bicycles, etc. She would like the code enforcement officer to look into it. Barrett asked her to fill out a complaint form to submit to the code enforcement officer. Fayash asked if any of the vehicles were out of inspection. Jennifer Chinchar, Mary D, asked for police patrols on Saturdays during the day because the side by sides are out of control. Chinchar stated she spoke to the owner about containment of the garbage due to the bear dragging it all over their property. Chinchar stated the side by sides are running up and down the street with open alcohol containers. Chinchar also stated that the bar patrons are urinating in her yard out in the open during the day. Natalie Stremick, Mary D, stated she has private property signs there and they go right through it instead of on the road next to it. Baranko stated that the residents should contact PLCB directly. Stremick stated that the language and the music from the speakers are awful. Stremick stated she is having outdoor entertainment. More discussion ensued. Chinchar requested police be on during Saturday and Sunday afternoons until the side by sides calm down. Chinchar asked about “quiet hours.”

Hosler made a motion to go into executive session.

Hosler made a motion to hire Officer Jason Lex at \$18.00/hr starting April 25th. 2nd Fayash. All approved. Discussion about the police officers scheduling some at Saturday afternoons etc. to address the side by side issues.

Hosler made a motion to adjourn the meeting. 2nd Fayash. All approved.

Adjourned

Attest: Colleen Barrett