

**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, December 12<sup>th</sup>, 2016, at 7 P. M. in the Municipal Building. Those present included Charles Fayash, Charles Hosler and Frank Fabrizio. The Pledge of the Allegiance was recited.

Hosler made a motion to approve the November minutes. 2<sup>nd</sup> Fabrizio. All approved.

Hosler made a motion to approve the Special Salt Shed Bid Meeting minutes. 2<sup>nd</sup> Fabrizio. All approved.

Treasurer's Report

\$323,879.90 total in bank accounts. A motion was made to approve the Treasurer's Report pending audit by Fayash. 2<sup>nd</sup> Hosler. All approved.

Replies to last month's public questions –

No answers to last month's questions.

Public comment on agenda items only –

Christine Verdier, Mary D, wanted to know if there were any changes to the Budget that was discussed at last month's meeting. Also wanted to ask what the additional \$40,000 under public works in the budget summary was for due to it had not been on previous budgets. Hosler stated that it was put in the spot as an accident that the line is to be used for a heading and not an amount. Verdier questioned if the amount of the budget has changed due to this amount moving. The secretary had cleared the information up with the amount that was in the public works line had gotten moved to line 28 for vehicle funds. Verdier also wanted to thank the board for reviewing the budget for the corrections, also wanted to mention that the township is at the same tax rate and also that the revenues are going to be the same along with additional income of the police services of \$25,000 from Middleport and the USDA reimbursement of \$25,000 from the Reevesdale Sewer Feasibility Study project. Verdier wanted to make the residents aware that there has been some costs overruns from the approved budget from 2015. As of October 31<sup>st</sup>, 2016, the maintenance department is over \$16,000 and with upcoming expected additional costs for November and December and also the police department is probably over the amount that it was budgeted for. Verdier wanted to mention that the township may be looking at a 1.5 mil increase due to the amount that has gone over budget in just the maintenance department. Verdier wanted to ask where will the \$30,000, for the salt shed that was over the insurance reimbursement, be taken from the budget. Verdier asked what the plan with moving forward would be if the township was replaced the \$25,000 from USDA and if Middleport would pull out, we have a police budget that just covers pretty much salary and taxes that if the car would break down or we need more radios, there are no dollars left in the police budget and wanted to let the residents know this information. Chief DiMarco wanted to ask the Board if the police had gone over the budget of \$35,000. The approved budget for the police department was \$30,000 with the additional \$5,000 for a camera that was never purchased. Chief DiMarco stated that the additional \$5,000 was used to restripe the car, badges, flashlights, radios and computer system.

Mary Van Pelt, Brockton, questioned if she was able to ask a question for public comment due to she needs to leave the meeting. Fayash stated that it is fine. Van Pelt wanted to comment on regarding the October minutes and questioning how to show respect for the Board and addressing yourself to them, which she had received an answer on and also regarding the question that is in the minutes that the Board was not able to answer. Van Pelt wanted to mention that the question was not for the Board, that it was to Christine Verdier, regarding that if the research that she was doing was on her time or Argall's time.

Police Report – Chief DiMarco stated that they have responded to 30 calls which includes the Borough of Middleport and also Ordinance violations. Hit and run in Middleport that is being investigated by Sergeant Stanell; dog barking complaint on Valley Street that ended in another citation being issued, first one was not responded by the person who received the citation previously; assist motorist on Rt 209; assist other agency on a fire call in Tuscarora; assist Tamaqua police department for burglary progress; residential burglary reported in Mary D; another burglary reported on the same street-not related and are both under investigation; civil complaint in Brockton with garbage issue; criminal mischief report of BB's shot at a house resulted in juveniles being identified and arrested; criminal mischief on Washington St. Middleport; criminal mischief at the American Legion in Middleport that is being investigated due to windows being shot out; disorderly conduct on Chestnut St. in Tuscarora; self inflicted gun shot would that is being investigated in Newkirk; harassment on Valley St; juvenile complaint bicycles on Valley St. in Brockton; littering complaint by the supervisors along Rt. 209-wanted to add that the garbage has been picked up and the owners of Tamaqua Transfer have let us deposit the garbage at the transfer for free for this year only. Hosler questioned if any of the bags had any information leading to where they were coming from and Chief DiMarco added there was one piece of personal evidence showing that it could have come from Lansford. Chief DiMarco stated that he had contacted the Lansford police chief and had him drive around to see if anyone is cleaning out a home. Chief DiMarco added that the garbage consist of debris, garbage, glass, bottles and construction material. Wanted to thank Mr. Wittig for allowing us to deposit the garbage at the transfer, also stated that there were pictures taken for evidence before it was taken to the transfer; ordinance violation for Mr. Buchinsky in Mary D-hearing was held and he had so many days to remove the garbage and he has started removing things; ordinance violation in Newkirk-TV's and garbage underneath a trailer and were told to clean them up-they were notified and it was cleaned up; parking complaint in Locust St. Tuscarora that was handled by Sergeant Stanell; parking complaint on 211 Mine St. that was taken care of Sergeant Stanell; no parking signs were requested by a contractor on Locust St.; PFA notification against Walter Englert has been received; 2 phone assignments; report request for criminal mischief that happened to a house-we sent the request in and the township received a check for \$15.00 for the report and the check was given to the Secretary; theft reported personal information-494 Valley St. Mary D that is being investigated; theft of a bicycle from 120 Valley St. that is being investigated; assist motorist on 209 for a traffic hazard; and a trespassing report on 199 Chestnut St. Tuscarora is being investigated. Chief DiMarco also wanted to add that the police car had gotten 4 new snow tires on and it was through the state program at Kuhn's garage. Chief DiMarco also wanted to add that he received a written complaint that someone is putting garbage on other properties so they would not have to pay for garbage and it is being investigated-this will not be an ordinance violation it will be theft of services.

Two hearings were attended; one was criminal harassment and the charges were waived and bound over for court and another hearing was for harassment where the defendant was found guilty. Chief DiMarco stated that if anyone has an ordinance violation complaint, it must be brought up in writing and it must be signed. Otherwise, they do not entertain anonymous complaints. DiMarco explained the reasoning of needing all violation complaints in writing and Solicitor Baranko added as well that they must be signed and addressed in case of court appearances; they need to have all documentation.

Code Enforcement Report- Chief DiMarco stated that they were included in the police report. Also wanted to add that there was 2 certified letters sent out for the violations and they concluded the property on Back St. for Mr. Swenson and he has been working on rectifying the situation-that was a written complaint; also the Miller property in Mary D, garbage debris. If the resident does not accept the certified letter, they could still be cited even if they do not sign for them. Chief DiMarco added that pictures have been taken of all the properties for these cases.

Christine Verdier, Mary D, on the behalf of the Mary D Community Association, there was a letter sent to the Board regarding a property that they have shut the water off and wanted to mention that before the Board has condemned properties due to lack of water and wanted to know the status of this issue. Chief DiMarco asked if it was Swenson's property. Christine Verdier stated that they are both

Swenson's properties and one is shut off but they are unable to locate the other homes' water shut off. Chief DiMarco stated that he needs a letter stating that the water has been shut off in order to condemn the home. Verdier stated that the Secretary has the letter. The Secretary stated that the letter would be sent to the officer for continuing the process. Chief DiMarco explained what he involves in a case.

John Zubris, Brockton, questioned if the person who writes out a complaint, do they need to attend a hearing regarding the violation. Also questioned if the person has a right to know who made the complaint. Chief DiMarco stated yes they have the right to know. Zubris also questioned regarding the placing of garbage on someone else's property and gave his example of placing garbage on his neighbors property with his permission and Fayash stated that if your garbage is paid then it is not a problem. Chief DiMarco stated that this particular person has not been paying his garbage and placing his garbage on other properties.

#### Road master Report-

All the spots that have been paved are now sealed with tar. Fayash wanted to thank Saint Clair for providing us with their tar buggy to use for free. With snowstorm Jonas from January 2016, we are receiving a approximately \$6,036.03 back for the use of vehicles and labor from the storm.

#### Solicitors Report- Joseph Baranko

Baranko wanted to revisit the Material Dynamics settlement and state that there is about \$4,200 left in the account from the settlement and it is left due to Mr. Semanchick from Schuylkill Haven had put in for the use of their trucks and there is going to be a discussion to see if the amount left over will be divided equally through all the fire companies. Fayash also added that a gentleman had asked if any money was left over, that they could donate the remaining balance to the fire school with a program that matches your donation. So with the remaining \$4,200, there would be over \$8,000 donated to the fire school. Baranko stated that he will bring this proposal to Mr. Semanchick and see if he would also recommend it. Fayash a made a motion to follow through with the remaining balance. 2<sup>nd</sup> Hosler. All approved.

#### Zoning Report- Paul Benulis

There have been 26 permits issued since February; 1 in process; rezoning variance hearings completed in 2016 have all been approved. Benulis wanted to explain that the last zoning hearing board needed to be rescheduled. Meetings of the zoning hearing board require public notice in the newspaper as well as posted at the property that would be discussed during the meeting. There was a variance hearing Thursday, October 27<sup>th</sup>, at which the residents requested to have their variance approved at 173 Sunny Dr. Mary D. The property was properly posted by him in advance of the hearing. At the hearing, a resident opposed the variance request and the zoning hearing board declared that a decision would not be made that evening. Instead, the board required a decision hearing to be scheduled at a later date at which they would announce the ruling of the variance. The variance hearing was initially scheduled for November 21<sup>st</sup>; property was not reposted prior to the decision hearing. Benulis stated that every variance hearing he has attended has had a decision that evening, and this was a first for him. Prior to the decision hearing and reviewing the ordinances, Benulis stated that he felt that the property needed to be posted prior to the meeting. The decision hearing was rescheduled so the property could be reposted 10 days prior to the hearing. Benulis stated that it does state in the ordinances that a property must be posted but stated he is unclear on who is the ownership of this responsibility. Benulis stated that there are other duties that are either unclear or missing, for that reason, Benulis suggested that the zoning ordinances require a review for completeness and accuracy. The cost of the rescheduling the decision meeting for the advertisement and the solicitor fees are not known at this time. We need to make ensure that all documents are clear and precise to ensure the correct actions are taken. Benulis stated he is offering the Board his help in reviewing the ordinances and resolutions for Schuylkill Township. Benulis stated if anyone has any questions regarding zoning to contact him at 570-599-6682 and leave a message if he is unable to take your call.

#### Committee Reports

Council of Governments- a gentleman from DCED had talked during the meeting in doing a Regional Police Study. The study does not cost anything but the township does need to send a letter of intent. Hosler made a motion to approve the letter of intent to move forward with the study. 2<sup>nd</sup> Fayash. All approved.

Tax Collection Committee- no meeting was scheduled.

Eastern Schuylkill Recreation Committee- meeting was discussed about breakfast with Santa on December 3rd

### Communications

2015 Annual Audit has been completed and filed as of 11/30/2016.

The Tamaqua Public Library is requesting a donation. Hosler made a motion to donate \$500 to the Tamaqua Public Library. 2<sup>nd</sup> Fabrizio. All approved.

### Old Business

PLGIT Procurement Card process has finally come to the cards being issued and were received on 12/12/2016. The cards must be activated and then they are ready to be used.

The Board of Supervisors have reviewed and discussed the 2017 Annual Budget. Hosler made a motion to approve the 2017 Annual Budget. 2<sup>nd</sup> Fabrizio. All approved.

### New Business

Fayash made a motion to approve Resolution 2016-5 for the 2017 Annual Budget. 2<sup>nd</sup> Hosler. All approved.

The Council of Governments Regional Police Study has already been discussed.

Hosler made a motion to continue with the website and pay \$300 fee for services for 2017. 2<sup>nd</sup> Fabrizio. All approved.

Hosler explained that a gentleman from USDA came out to do the compliance review on the Reevesdale Feasibility Study and the gentlemen stated that there might be some help with money to continue with the project because something needs to be done.

Review and discuss Resolution 2016-6 for township driveway fees. Baranko suggested this be tabled for more research on the fees. Fayash made a motion to table until next month. 2<sup>nd</sup> Hosler. All approved.

Hosler explained the Resolution 2016-7 regarding the Tuscarora Waterline project that they are requesting that we move money from the administration part due to the PennDOT requirements, paving has gone over budget. Hosler made a motion to approve Resolution 2016-7 for the CBDG for the Tuscarora Waterline project. 2<sup>nd</sup> Fabrizio. All approved.

Baranko stated regarding the 2 Brockton resident complaints, that they need to be signed. Hosler added that the complaints were anonymous and are not able to go through with the complaints. Chief DiMarco again stated that all written complaints must be signed in order to follow through with any citations.

### Public Comment

Christine Verdier, Mary D, wanted to thank the board for putting a new flag at the ball field and also for posting the videos on YouTube. Verdier wanted to question if the jeep that was taken off the road is going to be disposed of. Fayash added that Chief DiMarco wanted to give fair market value for the jeep and also stated that there are some parts that could be used off of it for the new jeep. Fayash made a motion to accept fair market value of scrap price and sell the jeep to Chief DiMarco. 2<sup>nd</sup> Hosler. All

approved. Verdier wanted to mention that when getting ready for the reorganization meeting that in the municipalities planning code it states that the majority of the supervisors are not able to sit on the Planning Commission Board, which has been done for the past year. Fayash stated that the Board is aware of this. Verdier also commented that with the holiday season approaching if everyone can keep Brockton fireman Frank Bassler in their prayers, they did have a breakthrough and he was able to open his eyes, hoping for a Christmas miracle. Verdier also wanted to wish everyone a Merry Christmas and a Happy healthy New Year. Verdier also mentioned that going forward, the Commonwealth Finance Agency may have matching dollars for small waste water systems that can be matched with other programs for the Reevesdale Feasibility Study.

Pat Stefanek, Brockton, wanted to have the Board send a thank you to Saint Clair Borough for the tar buggy and to Mr. Wittig for letting us use their services due to they do not attend our meetings to be aware of the Boards acknowledgement.

Paul Benulis, Brockton, wanted to first thank the board for cleaning up the garbage and also wanted to say thank you for the precise police report and he appreciates it. Benulis also wanted to thank the Board for the roadwork, for patching and also the tar. Benulis also wanted to question if the Board has reconsidered the LED street lights for the township due to Middleport and New Philadelphia have installed them. Fayash stated he did see them and they do look like they would be more beneficial for the officers and the people and they do seem brighter. Hosler added that Middleport street lights are closer together than the ones in our township. Fabrizio stated he had emailed the gentleman that they have discussed the LED lights with before, numerous times to see if he could attend of the meetings to discuss the lights but have not gotten a return. Benulis feels that the reports of burglaries and criminal mischief's could be prevented with better lighting and feels that it would be worth the small additional fee. Benulis also wanted to add that change was needed and things are different and wanted to support the Board and to let the township aware that work is being done.

Joe Leskin, Brockton, stated he spoke with Chief DiMarco regarding the amount of speeding past his home. Leskin suggested that reinstalling the stop signs might be beneficial and is requesting the board to reconsider reinstalling them to help with the speeding. Leskin also wanted to ask if anything has been done regarding researching a PA system. Fabrizio had spoken about different options as well as prices that were listed for such systems and discussion was made amongst the Board. Leskin stated he apologizes for blurting out but he is not able to hear so a system would be beneficial.

Pat Stefanek, Brockton, wanted to add that when the Board speaks amongst themselves their voices do not carry out like when they are talking forward. Stefanek also wanted to add that with the investigation of the LED lights that even though this specific gentleman is not returning messages that there are a number of other people through PPL she is sure would be willing to come to a meeting to explain the system.

Hosler wanted to mention that the January's Reorganization meeting is going to be held on Tuesday, January 3<sup>rd</sup> due to the official holiday is on Monday, January 2<sup>nd</sup>.

Fayash wanted to wish everyone a Merry Christmas and a Happy New Year.

Fayash made a motion to adjourn the meeting. 2<sup>nd</sup> Fabrizio.

Adjourned

Attest: Natasha Tyson