

**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, September 12th, 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 August minutes. 2nd Fabrizio. All approved.

Treasurer's Report

\$420,125.96 total in bank accounts. A motion was made to approve the Treasurer's Report pending audit by Fayash. 2nd Hosler. All approved.

Replies to last month's public questions -

No replies to last month's questions.

Public comment on agenda items only -

Christine Verdier, Mary D, questioned on the minutes and the agenda regarding changes to the zoning as well as who is a member of the zoning committee.

Gary Feathers, Tuscarora, had mentioned that when the Supervisors had tried to enact the Quality of Life, there was a committee formed. The committee is still active and holds Paul Benulis and himself.

Fayash stated he will have an answer for this for next meeting.

Police Report -

This report does include July & August: phone assignments, parking complaint, atv/dirtbike in Reevesdale that was taken care of, abandoned vehicle, harassment resulting in 2 citations given, suspicious vehicle & person in Tuscarora, parking complaint, another suspicious vehicle that was investigated, drug law violation, assist other agency(ems call in Tuscarora), bad checks complaint Newkirk, animal complaint barking running at large, harassment complaint, criminal mischief, business check was performed, harassment, theft, another vehicle suspicious activity, abandoned vehicle that was not on private property, and 2 calls for information.

Chief DiMarco stated that there was discussion to hire an additional officer for handling of Middleport for additional hours. Chief DiMarco is requesting to hire Peter Sandor, former detective from Florida and works part time in Tamaqua. He is only going to fill the 16 hour slot for Middleport and the township. He is already trained; he has his own weapon as well as uniforms. Chief DiMarco makes the request to hire Peter Sandor as the additional officer. Fayash made a motion to hire Peter Sandor. 2nd Fabrizio. All approved.

Chief DiMarco also is requesting to promote Officer Stanell to Sergeant to handle things in the line of command in case the chief is away due to having more than 2 people on the force. More discussion was made on the necessity of changing Officer Stanells' position to Sergeant. Fayash made a motion to promote Anthony Stanell to Sergeant. 2nd Hosler. All approved.

Chief DiMarco also is requesting that due to covering for Middleport Borough, that there would be pay increases for the Chief and Sergeant to be \$17.00 per hour and for the Patrolman to be \$16.00 per hour. Also, at any time that Middleport ceases to utilize police services, the officers will revert back to the same pay scale as well as the same workforce, back to two Officers.

Christine Verdier, Mary D, questioned the Solicitor if the floor could be open for public comment due to these topics not being on the agenda. The Solicitor had told the Supervisors to open the floor for

public comment. The Solicitor also questioned Chief DiMarco if this was discussed prior to this meeting on the increase in pay. Chief DiMarco stated that the amount of revenue that the township would be receiving from Middleport was discussed and also the amount of hours of coverage. Chief DiMarco had pulled the increase in pay from the revenue that the township would be receiving due to the extended hours and also adding an officer on. Fayash opened the floor for public comment at 5 minutes each.

Christine Verdier, Mary D, stated that the residents have the right to know of what is going to be discussed during a meeting which is why there is to be an agenda. When things are not listed on the agenda, information cannot be discussed prior to decisions. If changes to the positions and salaries are going to go up, will they be retroactive to August 1st, or will this be something going forward? Also, wanted to state that it does not seem that the entire Board is part of this hiring process.

Mary Van Pelt, Brockton, wanted to state that if it is for the better of the community and since there is additional revenue coming in, she does not see what the big deal is over a \$1. Chief DiMarco added that it will actually bring the cost of police coverage down in our township.

Chief DiMarco also added that he has been doing Code Enforcement so it is also saving the township money that they do not have to pay an extra person to do this. If Stanell takes the position as Sergeant he is also able to write citations for code enforcement as well at no additional cost.

Chief DiMarco wanted to state that again, if Middleport cancels the agreement at any time, everything would go back to 2 officers and regular pay. Fayash asked the Solicitor if there needs to be a contract written up and signed for this to be in effect. Solicitor Joe Baranko stated yes. Chief DiMarco stated that this is with the township that he can dictate that this was discussed at a meeting so no contract would be needed. Fayash made a motion to pay the increase of the competitive amount of \$16.00 per hour for the patrolman and \$17.00 per hour for the Chief and Sergeant bearing that we still have the agreement with Middleport and at any time the agreement would be cancelled, it goes back to \$15.00 for the Chief and patrolman and back to 30 hours total. 2nd Fabrizio. All approved.

Chief DiMarco is requesting that they would receive the retroactive pay back to August 1st due to the officers patrolling Middleport during that time. Hosler wanted to state that there was not a third patrolman during that time so he feels there is no need for the increase at that time. Chief DiMarco reworded his request to be starting the pay increase to be September 12th, 2016. Hosler said to amend the previous motion to add that the pay increase will be from today on.

Chief DiMarco is also requesting an additional radio to have 2 on site due to adding another officer. There is a monthly payment option if the Board decides to do that. The price of the radio would be \$3,900.00. Hosler questioned if there will be a time that more than one officer will be on. Chief DiMarco stated that there will be a possibility. Hosler made a motion to purchase the second radio for the police department. 2nd Fayash. All approved.

Chief DiMarco continued with there has been warning signs for speed zones put up on Valley Street in Brockton and also on Catawissa Street in Tuscarora. Officers patrolled the township and sat at various locations doing speed timing checks and responded to 23 calls for service. Officer Stanell monitored several bus stops and will continue to do so in the township and Middleport Borough.

Hosler wanted to question if there is going to start being night time patrol due to the crime happening throughout the night. Chief DiMarco reassured Hosler that yes there will be coverage up to 2 a.m. Chief DiMarco also stated that if anyone feels that there is a specific time that they would like coverage to please let them know.

Road master Report-

Last month there was discussion on paving some roads around the township; Hilltop Dr., the alley way off of School St., South Main Street from house #29 to the end. In Tuscarora from Walnut St. to Seneca St. and from Walnut St. to Locust St. as well as part of Locust St. Intersections at Locust St. and Wyoming St. and also the intersection of Locust St. and Strawberry St. Fayash stated that he had called 3 places for the paving to be done; Tropp, Folk Paving & Schuylkill Paving. 2 out of the 3 came out to give prices and also discussed breaking down South Main St. into 3 sections; from House #29 to Sunny Drive; from Sunny Drive to the Post Office and from the Post Office to Sanderson St. The lowest bid that would cover all this and also Sunny Drive to the end of South Main St. was Folk Paving at an amount of \$19,390. Schuylkill Paving was \$19,000 for all except for Sunny Dr. to house #29 which would be an additional \$18,760. Fayash made a motion to have these listed roads paved by Folk Paving due to them being the lowest amount. 2nd Fabrizio. Discussion was made between the Supervisors on the roads and the prices provided. All approved.

Hosler questioned the Roadmaster why they were digging in the ditch in Brockton. PA One Call was not called and there was a water line that was hit. Fayash stated that a tree fell on the water line and smashed it off. Hosler stated that where ever digging is being done, a PA One Call must be made. Hosler also questioned why the trees were cut down in Tuscarora by the road. Fayash stated it was due to safety and for the sunlight to hit the road. Hosler also questioned why the police car was taken to run for parts. Fayash stated that they did not have a vehicle to take. Hosler also mentioned why did 2 people have to be in the police car to go for parts. Fayash stated no. Hosler stated that he had seen the 2 of them in the dump truck together as well. Fayash stated that there was nothing for the other person to do while the other one went for asphalt.

Solicitors Report- Joseph Baranko

Middleport Borough had approved the police officer agreement. Before this evenings meeting, the Supervisors had a short executive session to discuss the Material Dynamics fire to pursuit the recovery of the foam. There was a settlement proposal of \$24,224.96 which covers the foam and also the utilization of the equipment from the fire companies. Baranko is requesting a motion to be made to approve and release the settlement of \$24,224.96. Fayash made a motion to pass the release of the settlement. 2nd Hosler. All approved.

Zoning Report- Paul Benulis

No zoning report due to Paul not being available tonight.

Committee Reports

Council of Government- the street sweeper that was used will take approximately \$17,000 to fix the damage that was done by the township. The committee is discussing changing the price of the rental due to the only revenue the Committee gets is through dues and also equipment rentals.

Tax Collection Committee- no email was received for when meeting is.

Eastern Schuylkill Recreation Committee- no email was received for when meeting is.

Communications

There is a Schuylkill County Recycling Event that will be happening the week of September 19th. This year they will not be taking any electronics, everything must be paid for now. Discussion was made on if the township will continue to take electronics due to if we do not provide the services that the electronics will be on the side of the road and the township will have to pick them up anyways. A decision was made to lock the shed door and have residents drop off electronics only when someone is here and available.

Old Business

Paul Robinson from PLGIT Procurement Card stopped at the office on Wednesday August 3rd to pick up all paperwork and we are waiting to hear back on the next step in the process.

Ordinance 1-2016 which is authorizing the borough fire department to obtain reimbursement that was tabled from August meeting due to advertisement. Solicitor Baranko stated it was advertised. Hosler made a motion to approve Ordinance 1-2016. 2nd Fabrizio. All approved.

New Business

There is a handicap sign request for Gloria Yesavage for in front of their home at 201-203 Valley Street, Brockton. Chief DiMarco and Fayash had gone out to the location and discussed if this spot is available for handicap. Chief DiMarco told Fayash it would be fine to put a sign there and paint the corner yellow from the corner to the sign so no other parking would be available due to safety. Fayash made a motion to grant the request for a handicap sign at 201-203 Valley Street, Brockton. 2nd Fabrizio. All approved.

The Secretary has requested to put some type of garbage policy into effect for the residents who are not paying for their garbage. Solicitor Baranko stated he will look into setting up a policy for the township on what the protocol will be for non-payment. The Secretary also questioned for the residents that are behind now, and their garbage has been stopped and information has been sent to the Magistrate, if the township has permission to put a lien on the property. Solicitor Baranko discussed the different types of claims. Solicitor Baranko also stated that if a home is up for judicial sale that the fees will be wiped out. Fayash made a motion to put liens on any properties that are delinquent at this time for collection. 2nd Hosler. All approved.

There is a request to donate the yearly amount of \$1,500 to each township fire company. Fayash made a motion to donate \$1,500 to all 3 fire companies. Hosler 2nd the motion under the stipulation that the fire companies give a copy of what the money is being used for. Fayash remade the motion to have with receipts. 2nd Hosler & Fabrizio. All approved.

An insurance adjuster had come out and given a price on how much damage was done to the salt shed. Solicitor Baranko suggested the Board go through 3 different vendors to check for different prices. If the amount exceeds \$19,400, it will have to go out for bid. Hosler mentioned that if they have to go out for bid for the salt shed, they should just go bigger. Fayash stated it has already been in discussion of going bigger. Fayash stated it will be discussed and will move forward with requesting quotes.

There is a request to increase the wage for the maintenance worker from \$15.00/hour to \$16.00/hour due to the worker working past his 90 days. Fayash made a motion to increase his pay to \$16.00/hour. 2nd Fabrizio. All approved.

Solicitor Baranko had typed up a paper for the discussion of an exit strategy for the Eastern Schuylkill Planning Board. Solicitor Baranko stated the Board should share the prepared document with the code committee in regards to a comprehensive plan, once all goes through, the Board would need to give notice to the other municipal entities that are participating in the Planning Board. Hosler questioned how much it will cost for this process. Solicitor Baranko stated it could cost \$5,000, \$6,000 or \$7,000 or more to put everything together. Hosler wanted to add that if this goes through the mining companies are going to be very interested. Fayash questioned what the next step is in this process, Solicitor Baranko stated that once he has the contact information for the committee, then contacting them would be the next step. Hosler questioned what is the reasoning for getting out of ESP. Fayash stated it is due to set backs and because of variance regulations, it is costing the township money.

Public Comment

Mary Van Pelt, Brockton, in regards to the officers being on duty more at night, that we should be going to Middleport and checking out their light system. Also stated, if there was better lighting there might be less crime.

Pat Stefanek, Brockton, regarding the radio request and wanted to know what the cost of the radio was that was approved. Fayash stated that the radio cost was \$3,900. Stefanek also regarding the paving

bid if everything was given to the Solicitor to review the quote to make sure all the specs are met and if the proper bid was given. Solicitor Baranko stated that Solicitor Slusser had reviewed everything before the bid was given. Stefanek also questioned the Solicitor if the police officers have the authority to cite for any ordinance. Solicitor Baranko stated that each ordinance has its own special authority to issue citations and discussed examples. Stefanek also questioned regarding the camera donation, why the camera was not being used. Fayash pointed to the camera and stated that it is installed and being used.

Christine Verdier, Mary D, questioned regarding the paving, what will be done on Sunny Drive, Mary D in front of the row homes. Fayash stated that himself and the road worker will be fixing that road. Verdier also questioned with the road work that is being done, if any of it will have the tar going around it to keep the water out. Fayash stated that once all the roads are done, they will be getting tarred. Verdier wanted to also mention that it is getting close to do the budget and if the township was going to do one and also if the Secretary needed help doing one due to it being her first time completing one. Verdier also wanted to question, when did angle parking begin on Back Street, Mary D, and wanted a police officer to come out and check on the situation due to safety for the fire trucks. Verdier wanted to thank the township for the grass cutting as well as the weed cutting that has been done recently. Verdier also wanted to question in regards to the condemned house across the street from her, the police officer had asked the township to cut the grass at the property and it has been 2 months and nothing has been done. The neighbors are unhappy that the township has not stepped up to cut the grass when they said they would and agreed to. Fayash stated they are unable to walk onto anyone's property unless it is done under proper format. Verdier also stated that it has already been condemned and the officer has already been on the property. Verdier wanted to mention regarding the police agreement that Schuylkill Township is not contiguous to Middleport, so that should be updated and changed. Also, wanted to know what was found out about the workman's compensation, due to that was one of the contingencies for having the agreement approved; based on what the township would find out about the liability and the workman's compensation. The code enforcement officer was hired at the July meeting but no salary was set and now there is a new salary for the police officers and wanted to know if the code enforcement salary will follow and feels it should be rectified by the Board. And lastly, Verdier stated that there seems to be no consensus of the Board on who this committee is that is going to be reviewing the zoning. Questioned if it is going to be our planning commission or our zoning hearing board, or is it this add on committee or questioning if it would be a series of all three, which is what she would agree it to be. Fayash stated that regarding the workman's compensation that it will go up \$250 for the year to add Middleport on. Verdier reworded her question as to the liability on a claim and if Middleport would back out in the future, what is going to be the cost on the township due to it is significant when there is a workman's comp claim filed for 3 or 4 years. Verdier just wanted to ask if there is anything to protect our township in an instance like this. Verdier wanted to also mention that there is a winter maintenance course coming up on October 27th at the West Penn Township Building.

Jessica Miller, Tuscarora, wanted to state that there is a sign stating no parking for 6 months out of the year at the corner of Chestnut Street and Strawberry Street. Miller stated she has no where to park with her 2 young children and wanted to request if the sign could be changed to a snow emergency instead of a no parking sign so she is able to park by her home. Fayash stated that there was a mutual agreement with the previous owner from before that they would leave the left side open and they were not moving their vehicles. Hosler stated that they had actually claimed that the township had hit their vehicles. Fayash stated that the road needs to be open for plowing and that is why the sign was posted. Miller stated she understands that and would also move her vehicle for any snow maintenance that would need to be done, she is just looking for on a daily basis to be able to park there with her children due to there is no where else to park in Tuscarora. Fayash stated that he will go and look at the area and bring it back to the Board for further discussion.

John Zubris, Brockton, stated towards Hosler on why the residents wanted to change and began to state that it is due to the price of a variance which is \$500. Hosler questioned Zubris where are all

these variances. Zubris stated it was a political thing on why the township was with ARRO. Zubris questioned on who blew the engine in the international, Hosler stated nobody did. Zubris had stated that Hosler and the previous maintenance worker had ruined the shed outside. Zubris questioned what the Board is going to do about a new truck. Hosler stated they should be purchasing a pickup truck due to running errands and that the cop car would not be used to run for parts. Zubris stated they can spend \$40,000 on a police car and but they cannot spend \$28,100 on a dump truck that they would have for 20 years.

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

Adjourned

Attest: Natasha Tyson