

April 3, 2023

Board of Supervisors Meeting

Schuylkill Township

75 Walnut Street

Mary-D, PA 17952

Introduction

The Regular meeting of the Supervisors of Schuylkill Township was held on Wednesday, April 3, 2023 in the Municipal Building. The Pledge of Allegiance was recited. Present at the meeting included Charles Fayash, Gary Feathers and Charles Hosler.

Meeting Minutes

Charles Fayash said they will approve the March minutes at the next meeting.

Treasurer's Report - None

Answers to Last Month's Public Questions – None

Public Comment on Agenda Items Only - None

Police Report – March 2023

Gary Feathers discussed with the Board of Supervisors & the Chief of Police, an incident involving an ATV. Gary Feathers acknowledges that there was a policy made that says we will not pursue or go after ATV riders. He feels that policy needs to change. Gary Feathers said if the ATV rider is misbehaving, we will pursue them, we will get them, arrest them & impound them. Charles Fayash said the state law has changed and we can go after them. He said we cannot have this in our Township to allow them to ride free and do whatever they want to do. Chief DeMarco said we will have a big liability issue if we chase an ATV. Gary Feathers asked the Chief how can other Townships & Police departments do it. Chief DeMarco said he will stand firm on that. Chief DeMarco said it is too dangerous to chase ATVs. Chief feels it puts the kid at risk. Gary Feathers asked what about the people in our Township walking around and the ATVs rips by them. Chief said we can change the policy but he is strongly against chasing and ATV and pursuing it. Gary Feathers asked if ATVs & Dirt Bikes need to be registered. Chief said yes but it's a \$25 fine and it is not a crime. Now fleeing and alluding an officer is a misdemeanor but riding on the street is a \$25 fine. The state will not change that law. Gary Feathers said something needs to change. Gary Feathers is asking his fellow Board Members to support the lives of our people in the Township are more important than a dirt bike ripping through our towns terrorizing the neighborhood. That has to stop. The Board and the Secretary agreed. Chief said we need to talk about it a little more. We can't control them. Gary Feathers said someone is going to get seriously hurt in this Township by an ATV or dirt bike running into them. Gary Feathers it is being dealt with in other places and we should be able to do the same. It needs to be addressed. Township Attorney suggested we reach out to our liability carrier they have risk management people that would field these kind of calls and let them know what we are intending to do, maybe they have a protocol on how to handle these situations. We can share the information with our department that they can follow and it would bring us under the umbrella on our liability coverage. The Board agrees that if these people are going through the Township terrorizing the department should pursue them. Charles Fayash said he doesn't have an issue if they are respectful and stopping at stop signs and not speeding around like there are no laws. The problem is speeding and terrorizing the residents in the neighborhood. Chief said it is going to have to be zero tolerance. Anyone that is on the road gets a ticket. Charles Fayash said you are allowed to cross the road; you are technically not allowed to ride on the road. Gary Feathers said the state rules changed two years ago, the impound part, the pursuit and everything else changed. Chief said he will do what the Board wants only if it can be done safely. The Attorney said reach out to the Liability carrier. Chief DeMarco asked to get it in writing that we are not responsible or liable for anything that happens. Secretary will send out the request tomorrow. Chief said if you can identify them & testify in court against them, we can do something about it. Gary Feathers stated we cannot turn a blind eye on when this is happening.

Code Enforcement Report – None – Chief said anything that Marty Sowers wrote is to be pursued.

Road Master Report

Mark Buccieri read the Road Report for the month of March. Trimmed trees, Cleaned & racked playground Tuscarora, Cleaned up roadside, Plowed dirt piles, Patched potholes, Changed faded stop signs, Cleared Culverts & Drains, Cleaned

up cinders at intersections, Fixed croaked signs, Building and grounds maintenance, Equipment maintenance, and Put up new street signs. The Road Dept. is working on getting new scanners for the trucks, two - way radios have to be recertified. Mark Buccieri wasn't sure if the board wanted CB Radios or another set of two-way radios. Mr. Buccieri said they have to be recertified. Secretary asked if it was Motorola Greens. Buccieri said, yes through Motorola Greens. Gary Feathers asked what did he prefer. Mark Buccieri said the two-ways work good. Charles Fayash asked what the distance were on them. He said throughout the Township. CB works better at the weight scale because you can talk to the person in the building. Mark Buccieri will look into prices.

Mark Buccieri said we got the road quotes in. Gary Feathers asked what part of Sunny Dr. is the worst. Mark Buccieri said the very top of it. The Road Master & the Board discussed which roads to pave and the quotes from the different companies. The Board agreed to discuss in executive session.

Solicitor's Report

Solicitor said he discussed the Swenson complaint with the Chief. Marty Sowers came back with comments and signed the verification. He redacted out some of the citations the Solicitor listed which are noted in paragraph 6. He will make the changes and it will be filed & served next week.

Sanderson Street the only thing he needs from the board is the approval of the access maintenance agreement. He will pass it on to Attorney Glassberg. Attorney Baranko said he emailed Gary Feathers a draft the inter municipal cooperation agreement with West Penn Police. Attorney Baranko said he will forward it to Attorney Paul Datte. Attorney Baranko asked if the Chief seen the Agreement. He said yes, it is pretty simple, they weigh, we write. Charles Fayash made a motion to approve the agreement for Sanderson St. Gary Feathers seconded the motion. All in favor. Motion was carried. 3-0

Gary Feathers made a motion accept the draft of the inter municipal agreement for weights with West Penn. Charles Fayash seconded the motion. All in favor motion was carried. 3-0

Zoning Report - NONE

Council of Government – Reorganization and Mark Buccieri spoke about equipment rentals and dilapidated properties.

Tax Collection Committee – Did Not Meet.

Communications - None

Old Business

Sanderson St. – The Board already spoke previously in the meeting about that.

No Parking Valley St. – the Board discussed the Ordinance and the way it was written. Attorney said he can run the ad for it. Gary Feathers said they put the line painting out for bid and they got one bid. The Board discussed where no parking on Valley St. should be between Emerick & Union St.

The board will discuss line painting in executive session.

New Business

1020 Porter St. Garbage Bill & Zoning Violation – Secretary said the gentleman finally acknowledged his violations & garbage bill from July of last year. He would like to ask the board to reduce his fees, costs and zoning violations. His garbage bill is \$2219.46, is what he owes since 2018. Secretary explained that the Board does not do that. He has magistrate fees. This has been outstanding. He was also given a garbage certification at the time that the house was sold. The Secretary told him she will bring it to the Boards attention because he lives in NY & he is unable to attend the meeting to present his case. Gary Feathers asked if they got a moving permit. Secretary said, no. Chief asked the secretary to give him all the information. Chief asked if there is a stop garbage on it. Secretary said there is but the garbage company still picks up. Charles Fayash said we can discuss more of that in executive session.

Comcast Network – Jen Frees, Sr. Manager of Government Affairs for Comcast. She is here specifically because their Northeast Division (covers from Washington DC to Vermont Area) is giving them the opportunity to expand their network into the Schuylkill County region. She represents the Keystone region which is all of PA excluding the Philly 5. The Northeast Division gave them the opportunity to expand their network more of Schuylkill County to connect to Luzerne County. The reason to do this, which is no cost to the Township what so ever. There is a Capital Project Fund that is available. PA will get close to 2 billion dollars total to get to the non-served areas. By law Comcast will have to get a franchise from each municipality to be able to provide just the video portion. Franchises are nonexclusive. It will give the community a choice for their provider. We would apply for permitting through the power company, hook up the

network and provide all the services through that network except the video. That why she is here to pass the franchise to allow Comcast to provide Video services.

Ms. Frees provided preliminary maps. A build takes 18 to 24 months unless there are unforeseen circumstances. Charles Fayash asked what is Comcast average cost for internet. It depends what speed you want. Ms. Frees can provide the Secretary with some preliminary rates. Gary Feathers asked if there is a conflict because of already having a franchise. Ms. Frees said no they are nonexclusive; you can have more than one provider. She said in some agreements there are competitive equity clauses when there are multiple providers. The standard term is 10 years. Gary Feathers asked if other municipalities do not agree with their franchise it's not going to effect that we do. Ms. Frees said no, if they choose not to Franchise, by law we could follow power, come in. string our network and provide internet only. The only thing about providing the internet, phone and the home security only problem with that is you lose the option of pricing. Gary Feathers asked when would Comcast want to do this. Ms. Frees said this fall.

We have to get all the permits. Gary Feathers asked if there are any areas in the Township that would be excluded. If the Board would give her a specific area, she can go back to her developer team and ask is this going to be included. Charles Fayash asked if Catawissa St. in Tuscarora be included. Ms. Frees said if there are areas of concern, Ms. Frees said she needs to know. Ms. Frees hopes to have a Franchise signed within 90 days because that will give time for advertising. Charles Fayash said we will discuss this at a workshop meeting. Ms. Frees is doing Schuylkill, Blithe, Middleport, New Philly, Tamaqua, McAdoo, Kline, Rush, Banks and Hazle which is Luzerne. Gary Feathers asked if they were doing Ryan Township. Ms. Frees said that wasn't in this plan. Times News questioned which Townships were involved. Ms. Frees asked for an email and she said she will give his information to her communications director and she will be able to answer all the questions. There are about eleven of them and just doing it off the top of her head she doesn't want to say something wrong.

Bob Kupetz asked about running the fiber optic transmission line into MaryD and if it handles internet, phone and video. Ms. Frees said correct. Ms. Frees said it is one cable line. Mr. Kupetz asked if they are running one cable but having individual distribution lines to each home. Ms. Frees said correct. He wanted to confirm that they were doing a dedicated transmission line. He asked about internet speed.

He is not happy with Breezeline.

Secretary working from home – laptop and essentials to do so – Secretary said she had breast cancer and two weeks ago she went for a scan and they found more in her lymph nodes. She needs radiation treatments and will be staring chemo. The Board has been working very well with her and letting her work from home. Charles Fayash made a motion to allow the Secretary to work from home as needed with zoom video, audio and laptop. Gary Feathers said it is the procurement of and would like to have zoom capabilities even for conducting regular types of business. Even with the Chief, Gary Feathers said we need to procure looking into getting the zoom capabilities for training and conducting regular business. He feels we need to be upgraded to doing the zoom capabilities, procuring a large screen TV for doing training. Charles Fayash made the motion for the Secretary to be able to Zoom Video, Audio ability on the laptop procedure from home on the laptop as needed. Gary Feathers seconded the motion. All in favor. Motion was carried. 3-0 Gary Feathers said going into the procurement of a laptop for the Secretary for her use for doing work from home, up grading the phone system here for her ability to take calls and secondly procuring of a large screen TV and zoom capabilities for audio video for trainings and all other purposes for meetings and emergency meeting. Gary Feathers said we could get quotes and use the CARES Act Funding to procure that stuff. Charles Fayash seconded the motion. All in favor. Motion was carried. 3-0

Outstanding Invoices – Secretary said she will have to get them to the Board because she was unable to print them. Charles Fayash made a motion to have a special public meeting on the 19th which will need to be advertised. Gary Feathers seconded the motion. All in favor. Motion was carried. 3-0

Public Comment – None

Dino from the Times News asked Attorney Baranko to explain the Sanderson St. That is the street that we passed an ordinance to have a weight limit on there. The Ordinance was adopted but we just approved this evening what is called an access maintenance agreement. Once a hauler makes application for permit they would also have to endorse the maintenance agreement that defines their obligations for repair, maintenance, clean up, etc.

Chief asked Attorney Baranko if we can enact our own ATV Ordinance and make it a \$250 fine not what fine the state has. Chief said if we have something like that and advertise that may deter these ATV riders.

Executive Session

Charles Fayash made a motion to go into executive session. Charles Fayash said we will make a decision April 19th at 6PM for a Special meeting. The Board discussed dirt bikes & ATVs in the Township. Chief is talking about adopting an Ordinance. He will be enforcing any ATVs or dirt bikes on the road disobeying laws and will penalize them. The board also discuss the garbage issue that they spoke about in the beginning of the meeting and the board agrees that they are responsible for paying their share. Dino from the Times news asked about Valley St. Charles Fayash said it was the 300 block from Emerick to Union and the northside would be no parking. Dino questioned the 200 block which Charles Fayash said will be parking from Union to Mine St. If you are over the white lines you will be ticketed. Lines will be painted but we need to get more quotes.

Adjournment – Charles Fayash made a motion to adjourn. Charles Hosler seconded the motion. All in favor. Motion was carried. 3-0

Transcribed By:
Temporary Secretary
Schuylkill Township