

EAST UNION TOWNSHIP
REGULAR MONTHLY MEETING
APRIL 3, 2013

Jon Dettery called the meeting to order at 6:00 P.M.

Pledge Allegiance to the Flag

Present: Jon Dettery, Dennis Antonelli, Linda Croll, Attorney Karpowich

Motion was made to approve minutes of previous meeting by Jon Dettery seconded by Dennis Antonelli. All in favor, motion carries.

Motion to dispense the reading of the minutes of previous meeting by Jon Dettery seconded by Dennis Antonelli. All in favor, motion carries.

Secretary Report/Correspondence & Police Report:
Report/Correspondence & Police Report was read by Linda Croll

Motion to accept the Secretary/Correspondence & Police Report by Jon Dettery seconded by Dennis Antonelli. All in favor, motion carries.

Dennis Antonelli read the Treasurers report. Treasurer's Report Attached

Motion by Jon Dettery, seconded by Ed Shamany to accept the Treasurers report. All in favor, motion carries.

Solicitors Report:

Code Enforcement discussed the possibility of revising several Ordinances within the Twp. The Solicitor discussed it briefly with Code prior to the meeting and it's a good opportunity to do it now as we are in the process of codifying our Ordinances and we will be able to have them electronically and be able to put them on the web site. A meeting will be scheduled in the near future with the Code Dept. and the Zoning Dept. The Ordinances will be looked at and they can be revised. We also talked about a Jake Brake Ordinance in the Township. To do that the Engineer would have to do a study for PennDOT, because it requires PennDOT approval. The Engineer was in touch with PennDOT and the portion of the road in question cannot be approved because of the grade of the road. At this point Mr. Conti said that the farmers are intentionally using there jake brakes. Attorney Karpowich told Mr. Conti that under the law under the harassment stature the charge would never stick. Mr. Conti then complained about air horns.

Attorney Karpowich stated there was some things under new business that he wanted to cover now. One of which is Signature Springs. He stated the Signature Springs after completion of

construction they originally paid a permit fee which was \$45,903 + a \$1500 review fee. At that time the permit fee should not have been that high. The fees were based on not an actual cost but a hypothetical cost. As a result of that they filed an appeal and it went before Hazle Township local appeals board and I don't think that they had jurisdiction. But there was going to be a hearing, litigation, so East Union and Hazle Township sat down and negotiated a settlement with them where the permit fee would be \$21,500 based upon actual cost of construction that would require EUT to pay Signature Springs \$13,451.

Motion was made by Ed Shamany, seconded by Dennis Antonelli contingent upon the Solicitor drafting a settlement agreement that includes releases to protect the Township so the issue doesn't reoccur in the future in regards to this particular property owner and developer condition upon Hazle Township accepting that settlement. All in favor, motion carries.

Attorney Karpowich then said First Quality Non Wovens on the agenda for final approval. The only is that we drafted and negotiated a storm water maintenance agreement which adequately protects the Township in an event there is an impasse off the property. When you get to that item under new business just use that as part of the approval.

Another thing is we received a complaint to the East Union Township Supervisors from the East Union Township Sewer Authority. The letter is signed by the entire EUT Sewer Authority and it states there is an unauthorized connection onto the public sewer system. Biros Utilities owns property located along School House Road in EUT, Sch Cty, PA and is unlawfully maintaining an unauthorized connection into the Authority's sewer main. Mr. Biros was notified of this condition, being aware of this, Mr. Biros has not taken any initiative to obtain a permit and lawfully connect to our sewer system. As, we are requesting the Township Supervisor's to follow up on this matter. Attorney Karpowich is asking the Supervisor's to turn it over to law enforcement because if what their saying is true then it is a theft of services. Depending on the cost of those services it could be a misdemeanor. We did get a second opinion from our Engineer. It is possible that the high BOD count is because of that connection. Dave Wasalavage spoke briefly regarding this.

Motion was made to Dennis Antonelli, seconded by Ed Shamany to turn the situation of to the police and code. All in favor, motion carries.

End of Solicitors report.

Motion by Jon Dettery and seconded by Dennis Antonelli to accept the Solicitors report. All in favor, motion carries.

Engineers Report :

A short report was given on First Quality & Eagle Rock.

Motion by Jon Dettery and seconded by Dennis Antonelli to accept the Treasurer's report. All in favor, motion carries. Report attached.

Old Business:

The quotes for paving in front of the Township Bldg. were read by Linda Croll.

S & S Paving & Excavation - \$13,125.00 – Approx 3500 sq ft. - \$3.75 sq. ft.

Biros Utilities, Inc - \$9,000.00 – Approx. 3,125 sq. ft. - \$2.88 sq. ft.

Mountaintop Paving & Sealcoating LLC – Approx. 4200 sq. ft. - \$2.36 sq. ft.

At this time our Engineer Dave Walasavage said that he would recommend Mountaintop Paving to do the job as he was putting in a thicker coat.

Motion was made by John Dettery, seconded by Dennis Antonelli to award the job to Mountaintop Paving & Sealcoating LLC. All in favor, motion carries.

New Business:

Motion was made by Dennis Antonelli, seconded by John Dettery to pay each Township Auditor \$300.00 for completion of the 2012 audit. All in favor, motion carries.

First Quality Non-Wovens, final approval needed expansion.

Motion was made by Dennis Antonelli, seconded by Dennis to agree to the final approval for expansion. All in favor, motion carries.

Resolution #1 of 2013 – Plan Revision for New Land Development-Eagle Rock Hidden Forest Phase IV. Our Engineer spoke briefly on it stating it was good to go.

Motion by Jon Dettery, seconded by Dennis Antonelli to pass Resolution #1 of 2013. All in favor, motion carries.

Discussion on House Bill #1682-Land Banks. Supervisor Dennis explained that we are members of Northern Schuylkill COG. Back in January there was a meeting and had a rep there to look into the possibility of Land Banks. What land banking is is to help redevelop blighted properties within the communities. You need to have a population of at least 10,000 in order to qualify for land banks. By being part of the COG gives us a population of 30,000. The Land Banking would be run by the COG and we would be part of it. We just had another meeting last month and they have started the preliminaries. A rep will be attending one of our Township meetings to go over all the benefits that we can obtain from Land Banking. Once we get it going we would have to pass a resolution which would have to be drawn up. It's a good opportunity to get rid of blighted properties in the Township.

Discussion on Oneida Storm Water Project – 1st street in Oneida has some major issues with drainage and rotted pipes. The Engineer did discuss this with PennDOT hoping that we could get them to come in and repair 1st St., we don't know where we stand with that. The bottom line is the job has to be done this year. Estimated cost is \$130,000-\$150,000. It would have to be put on bid. We do have an application in for a Block Grant from the County but unfortunately all the funding is on hold right now. The Township would probably have to get a loan to do this job.

Motion was made by Dennis Antonelli, seconded by Jon Dettery to have the Engineer draw up bid specs. All in favor, motion carries.

Discussion of 2013 Road Project – Supervisor Antonelli stated that Sheppton and Oneida are in fairly good shape. We do have some potholes that need to be repaired; we just purchased a pothole patcher, hoping to get the guys out on that to start doing repairs. Paving work needs to be done in Brandonville and out in the Valley. A section of 2nd street in Brandonville is bad. Pole Rd needs work, Phinneyville Mtn. needs work. We would also like to tar Walnut Court this year. Trailer Road also needs work. Dennis Conti Jr stated that Swanks Grove Road was bad. Supervisor Antonelli said he will get the road crew down there to look at it.

Discussion on Yunevage Property – We have part of a township road that someone Mr. Yunevage to close it off. Attorney Karpowich stated that he would be sending a letter to the Yunevage's regarding encroachment of that road.

Public Comments:

Walter George complained about cars going past his house at 1-2 o'clock in the morning. He also complained about the plow truck coming into the cemetery. He was told the township plows the cemetery road because that is where life flight lands. We also plow it for funerals.

Jack Capperell had questions regarding his property in Eagle Rock. Attorney told him that according to his deed the property is located in East Union Township.

Joann Conti had comment regarding Jon Dettery having her son arrested for garbage. Officer Harris told her she was wrong, Jon Dettery made a civil complaint at the Magistrates office. Attorney Karpowich said to her that he knew it was regarding a Supervisor but Mr. Dettery still has rights as a citizen to report it to code enforcement regarding a dumping issue.

Mr. Dennis Conti Sr. made a comment that the township is overlooking Brandonville. The condemned the Fire House we have no water and no sewer. Supervisor Shamany stated the Fire Company shut it down themselves. Mr. Conti then said he understood that. Mr. Conti then said let's stay on the water and sewer subject. Attorney Karpowich said that the Fire Company voluntarily closed. Mr. Conti then said to Attorney Karpowich that the Fire Company is closed because PA State Police and Senator Rhoads office did not act on the stealing that I've been trying to stop since 1980, that's why it's closed. Mr. Conti stated that he need water and sewer, the Supervisors are overlooking Brandonville. You fix in Sheppton, you fix in Oneida, I just went up to Hazleton and got about 5 or 6 cases of water today and I need sewers down there. The farmer busted my sewer, the farmer polluted my well and the township does nothing about it since 1987. Now you are talking about people with houses empty down there and creating houses for nonpayment to tear down for people to come in from Philadelphia. Supervisor Antonelli then told Mr. Conti he was like a broken record. Mr. Conti then said to Supervisor Antonelli that he was drunk the last time he was here so you don't want to hear anything; you were wiped out of your mind. Mr. Conti then got loud and said he was trying to get water and sewer down there. Supervisor told Mr. Conti he was out of line. You just won't listen to me, you just protect everyone else. I'm the guy suffering down there not you buddy.

Attorney Karpowich told Mr. Conti that you brought up the problem of the brake retarders the township had the Engineer doing a study for you tonight. Mr. Conti said study, what kind of study was that. I'm going to have to put up with the trucks coming by my house every morning to wake my house up because of that study. The township isn't doing their job. Attorney Karpowich said the Engineer went to PennDOT to try and get an Ordinance regarding brake retarders. Mr. Conti stated that they never stop the problem. Supervisor Antonelli said to Mr. Conti, I would put a sign on my house For Sale and move. Mr. Conti said to Attorney Karpowich see that sir, that was my problem 5 years ago when Supervisor Shamany said burn my house down. Mr. Conti then said to Supervisor Antonelli, tell me to move, you're going down boy. Attorney Karpowich told Mr. Conti to relax. Mr. Conti loudly said tell me to move, tell the handicapped kids here to move, there all in special education. It's your fault-the Supervisors. Supervisor Antonelli said you're out of order and told Officer Harris to get him out. Mr. Conti said to Attorney Karpowich am I out of order, I want to see a motion. Attorney Karpowich then said before we ask Mr. Conti to leave I want him to understand one thing; you raised three issues today, water, the farmer & the road. The roads is a township issue that we took action on, the other issues you raised are not township issues, you raise township issues the Supervisors will entertain it, you don't raise a township issue we can't entertain it. And because we can't entertain it I think you are out of line to insult these people. Mr. Conti said I came here because we need sewers, Attorney Karpowich said we have people who can't tap into the sewers we have here because of a moratorium nobody can build in the township. Mr. Conti then said who is going to pay for chemotherapy for Christ's sake. Supervisor Shamany then said we put the sewers in years and years ago. Supervisor Antonelli said to Mr. Conti you were one of the people that came up here and said you didn't want sewers in Brandonville, you're the one who polluted your well. Mr. Conti then yelled do you understand we need water not sewage. Its water I need. Attorney Karpowich stated that there is a new program that just came out that if you need additional funds for sewer there is a new program called Penn Work. If there are systems in Brandonville that are filled you can apply for a grant to get sewers in Brandonville. Mr. Conti then said you need the water first, sewage second. Like you said I was against sewer because I didn't want it. Attorney Karpowich said it was something we could look into. Mr. Conti then said nobody if going to tell me to move, tell the people here to move. Mr. Conti was speaking very loudly, Supervisor attempted to get order and told Mr. Conti we weren't hearing impaired. Mr. Conti then said you people burn me up every time I come up here, you never get nothing done. Mr. Conti then said let me speak one more time here, he said to Attorney Karpowich your new here so you don't know, I need water and sewer, Mr. Conti then said he had the floor here and don't tell him to move, I need water and sewer, that's number one, the biggest problem we have now is our Supervisor (meaning Mr. Antonelli) I was here at a meeting where he was drunk out of his mind and I can prove that. Supervisor Antonelli said if you're going to make accusation like that you better be able to back it up. Mr. Conti said I'll back it up and repeated I'll back it up. Supervisor Antonelli said to back it right now I'm going to sue you for that. Mr. Conti said I can counter sue; the District Attorney's office can back it up. Mr. Conti then said to Supervisor Antonelli you talk big with your Ringtown girlfriend here and my wife sits here. Supervisor Shamany said you have the right to come up and talk like a gentleman, but you come up and start throwing stones.

Meeting adjourned at approximately 7:30 pm.

Attending the Meeting: Tara Dolzani, Laura Eberly-SSM Group, Duane C. Daley, Mia Light-Standard Speaker, William George, Francis Matuella, Emil George Lohin-FQN, Jack Capperell, Dennis Conti Sr, Joann Conti, Lorie Conti, Jill Careyva, Bob Shala Tom Hall, Kim Kankowski, Mario Curreli, Chris & Adele Zaremba, Dennis Conti Jr.