

EAST UNION TOWNSHIP
REGULAR MONTHLY MEETING
JUNE 5, 2013

Ed Shamany called the meeting to order at 6:00 P.M.

Pledge Allegiance to the Flag

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

Motion was made to accept the 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 Dennis Antonelli seconded by Dennis Jon Dettery. 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:

Attorney Karpowich said the Solicitors and Engineer Report would be combined as Dave Walasavage was unable to attend the meeting. Mr. Walasavage has two reports based upon recommendation by our Planning Commission. The first is preliminary conditional land development approval for Eagle Rock Phase 4. As The Planning Commission and the Engineered recommended that the Supervisors as part of grant permission for land development approval of 10 waivers from our SALDO Ordinance. Attorney Karpowich read those 10 waivers. The Planning Commission recommended that the Supervisors approve it with 8 conditions. Attorney Karpowich read those conditions.

Motion to grant preliminary conditional approval for Eagle Rock Phase IV based on 8 conditions by Dennis Antonelli, seconded by Jon Dettery. All in favor. Motion carries.

The next report was the Rossi subdivision. The purpose is to subdivide an existing parcel which contains two existing homes, into two parcels. The property is located at the corner of Shepp and East Pine Streets. The Planning Commission recommended final approval.

Motion was made to grant final approval for Rossi Subdivision by Dennis Antonelli, seconded by Jon Dettery. All in favor, motion carries.

Attorney Karpowich discussed the 2013 Road project and the cost estimate. The estimated cost is roughly \$123,000.

Motion was made to allow the Engineer to place the 2013 Road Project out on bid by Dennis Antonelli, seconded by Ed Shamany. All in favor, motion carries.

Attorney Karpowich stated that they spoke with PennDOT in regards to a meeting regarding a Stormwater grant for 1st street Oneida. From the information that he received it is very possible that we will get a grant for the cost of part of the work which would be approximately \$68,000.

In terms of the Solicitors report he spoke regarding Gladstone and the Airport case. He was at a hearing and gave argument regarding the airport. Attorney Karpowich is optimistic that all went well regarding the airport and he believes the law is on our side.

Attorney also said that his firm was in the process of codifying the Ordinances. There would be a work session in the future with the Auditors in regards to changing the section of an Ordinance. The ordinances will be available on disk and will be on the website. Some of the Ordinances are archaic, they need to be changed or done away with and possibly adding Ordinances.

Attorney Karpowich then said a drafted a Resolution of Prevailing Wage. The Resolution is to eliminate or amend the State Prevailing Wage Act. Attorney Karpowich explained the Resolution.

Motion was made to approve Resolution No. 3 or 2013 by Dennis Antonelli, seconded by Jon Dettery. All in favor, motion carries.

The Resolution will be sent to our State Senators.

Attorney Karpowich said that in the future there would be work sessions in regards to what is out there in the way of grants.

End Solicitors report.

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

Engineers Report: Given by the Solicitor.

Sewer Authority Report:

John Petrylak gave a short report on the sewer authority. He stated that they were advertising for someone to go door to door to inspect homes regarding illegal flow going into the sewer.

Old Business: Appointment of Francis Layton as Code Enforcement Officer.

Motion was made to appoint Francis Layton as Code Enforcement Officer by Edward Shamany, seconded by Dennis Antonelli. Jon Dettery abstained and explained why he was opposed to appointing Mr. Layton. He stated the man was Code Enforcement and did a poor job. All he heard was complaints regarding Mr. Layton. He would not identify himself or state who he was.

Ed Shamany and Dennis Antonelli in favor of Francis Layton as Code Enforcement. Motion to accept by both.

New Business:

Ordinance No. 2 of 2013. Attorney Karpowich stated that 2 sections of the Zoning Ordinance were changed and he explained the changes.

Motion to approve Ordinance #2 of 2013 by Jon Dettery, seconded by Dennis Antonelli. All in favor, motion carries.

Motion to give Sheppton Oneida Vol. Fire Company \$30,000 from the Fire Fund by Dennis Antonelli, seconded by Jon Dettery. All in favor, motion carries.

Next was the review of a contract for Officer Harris, it was decided that it would be done at the next meeting.

Air Conditioning for the Municipal Building was discussed. It was decided that we need more info regarding the proposal.

Motion was made to table by Ed Shamany, seconded by Jon Dettery. All in favor, motion carries.

Next on agenda was to pay Attorney Karpowich legal fees. Dennis Antonelli explained what this was for. It goes as follows:

At the April 2013 Township meeting a complaint was received from the East Union Township Sewer Authority about a lateral connection on the Biros property. The Township supervisors voted unanimously to start an investigation of the lateral connection. Attorney Karpowich issued a statement on behalf of the Township supervisors after the meeting to WYLN news. Shortly after that statement was aired a lawsuit was filed by attorney Fred Fanelli for Biros utilities against Attorney Karpowich. Attorney Fanelli also represents Gladstone partners, the firm that is proposing the cargo airport. The law firm of Marshall, Dennehey, Warner, Coleman and Goggin are representing Attorney Karpowich in this case. They are requesting a payment of \$10,000 for their services. Our current insurance policy does not have provisions built into it for this type of coverage. At this time I would like to make a motion to pay Marshall, Dennehey, Warner, Coleman and Goggin \$10,000 for Attorney Karpowich's defense.

Motion to Attorney Karpowich's lawyers \$10,000 for legal fees regarding a sewer issue while he was working on behalf of the Township by Edward Shamany, seconding by Jon Dettery. All in favor, motion carries.

Dennis Antonelli then gave a short explanation regarding the Burn Ordinance. Attorney Karpowich is working on some changes to the Ordinance.

Motion to advertise an amendment to the Burn Ordinance by Dennis Antonelli, seconded by Ed Shamany. All in favor, motion carries.

Dennis Antonelli then stated that as everyone knows we did away with our Spring Clean-Up. The main reason was the high cost. We used to burn a lot of the stuff but the DEP stopped us from doing that. It was also abused by other people who were bringing in items from other communities. Also we used to collect the metal, but it was to the point there was any metal, people were taking it and selling it.

Motion for Attorney Karpowich to put something together to put out on bid for a bulk pick-up once a month for 1 item Dennis Antonelli, seconded by Ed Shamany. All in favor, motion carries.

Public Comments:

Megan Kutsko said she was there on behalf of her family in regards to burning. A neighbor has been harassing them because they sit out by an open fire in the evening. She stated that Officer Harris is aware of the issues. She was told by the Magistrate that person continues to harass them the Township can put a citation in.

Joseph Kuzmitsky complained about his road. Dennis Antonelli said he would be down with the Engineer to look at it, and that it would be taken care of.

Adele Zaremba asked when the Judge will issue his decision on the Gladstone airport issue.

Someone asked if the fine status would be changed in the Burn Ordinance. The gentleman did not state his name. His name was James Jabs. He stated the Code Officer did not identify herself when he was fined.

Meeting adjourned at 7:05

Attending the Meeting: Francis Matuella, Cindy Dettery, Chris & Adele Zaremba, Joseph Kuzmitsky, John Petrylak, Bob Shala, Megan Kutsko, Vickie Kutsko, Duane C. Daley, Kayla Kutsko, James Jabs, Judi & Gene Keegan