**Minutes for Regular Meeting of East Union Township Supervisors**

**Held on August 17, 2022**

* **Time Meeting Called to Order: 7:00 pm**
* **Supervisors/Officers Present at the Meeting: Present** – Chairman – Jill Careyva, Vice-Chairman– Jon Dettery, Supervisor – Kyle Mummey, Solicitor – Attorney Wallbillich, Engineer – Bill Everett, Zoning Officer –Jonathon Biros (Absent), Treasurer – Kate Hendricks (Absent), Secretary – None – Code Officer – Michele Moyer (Absent)
* **Supervisors’ Agenda:**

Motion to Appoint Stephen Bushinski as temporary secretary for the purpose of taking minutes of the meeting - Motion by Jill Careyva, seconded by Jon Dettery, all in favor, motion carried.

* Motion to approve Regular Meeting Minutes for May 2022 – Motion made by Jon Dettery, seconded by Jill Careyva, all in favor, motion carried.
* **Township Officers’ Reports:**
* A discussion was held on check number 895, written on July 21, 2022. The Board concluded that clarification was needed on this payment. Kyle Mummey made a motion to accept the Treasurer's report with the exception of check number 895, pending clarification. Jill Careyva seconded the motion. All in favor, motion carried.
* Motion to pay all outstanding bills attached to the Treasurer's report. Motion made by Jill Careyva, seconded by Jon Dettery, all in favor, motion carried.
* Solicitor’s Report**:** Motion to accept report made by Jill Careyva, seconded by Kyle Mummey. All in favor, motion carried. A discussion was held on the following items of the Solicitor's Report:
* **L&B Zoning Change Request – Update –** Atty. Wallbillich informed the Board that a hearing on the L&B Change Request would be held at the municipal building at 5:30 p.m., October 6, 2022, before the regularly-scheduled meeting to be held on that date. Atty. Wallbillich stated that he had engaged the services of a court reporter for the hearing, and that all appropriate notices will be sent to the necessary parties, and the hearing will be duly advertised in the newspapers. He further stated that the hearing would be held in sequence with the road abandonment hearing, discussed below, and the request by the Sheppton-Oneida Volunteer Fire Company to rezone the property encompassing the former Brandonville Fire Company.
* **Biros’ Road Abandonment Request – Update –** Atty. Wallbillich informed the Board that a hearing on the Biros' Road Abandonment Request would be held at the municipal building at 5:00 p.m., October 6, 2022, before the regularly-scheduled meeting to be held on that date. Atty. Wallbillich stated that he had engaged the services of a court reporter for the hearing, and that all appropriate notices will be sent to the necessary parties, and the hearing will be duly advertised in the newspapers.
* Sheppton-Oneida Volunteer Fire Company rezoning petition. Atty. Wallbillich informed the Board that a hearing on the Sheppton-Oneida Volunteer Fire Company petition to rezone the property encompassing the former Brandonville Fire Company would be held at the municipal building at 8:00 p.m., October 6, 2022. This would probably require temporarily adjourning the regularly-scheduled meeting and resuming that meeting after hearing the rezoning request. Atty. Wallbillich stated that he had engaged the services of a court reporter for the hearing, and that all appropriate notices will be sent to the necessary parties, and the hearing will be duly advertised in the newspapers.
* **Demolition lien, Brandonville property.** The supervisors discussed the lien that was to have been imposed on a parcel located in the Village of Brandonville. In early 2020, the then-supervisors took emergency action to tear down a building on the parcel because the building posed a risk of harm to the public. During the January, 2020 regularly-scheduled meeting, the supervisors voted to impose a lien in the amount of $ 17,500.00 on the property for the cost of removing the building. At a subsequent meeting in 2020, the supervisors voted to instruct the then-solicitor not to impose the lien. The property was subsequently sold at tax sale, and because no lien had been imposed, the purchaser acquired the property free of the $ 17,500.00 lien that had been discussed, but never formally imposed. Atty. Wallbillich informed the supervisors that the law provided that a reimbursement could still be imposed against the former property owner if done within three years from the date that the township incurred costs in tearing down the building. If imposed, the lien would be the responsibility of the then-current owner, Rita Chernesky. Supervisor Mummey asked Atty. Wallbillich whether there was any realistic possibility of recovering the amount of the lien, and how much would it cost to pursue the matter. He further asked whether Ms. Chernesky's assets could be attached in order to recover the amount of the lien. Atty. Wallbillich stated that pursuit of a recovery was possible, and that he could provide a rough estimate of the cost of the legal action. Supervisor Jill Careyva stated her opinion that action should be taken to recover the cost of the demolition.
* Right to Know Law Policy. Atty. Wallbillich provided the supervisors with an amended version of a previously-submitted Right to Know Law Policy. He had made a number of changes, including setting a fee schedule.
* Recommendation to hire legal counsel for representation in collective bargaining action with township police. Atty. Wallbillich recommended that the township hire the firm of Siana Law to represent the township, as he (Atty. Wallbillich) is not an expert in labor law, and in his opinion a specialist in that field is necessary. Atty. Wallbillich provided the supervisors with a letter from Siana Law in which Siana Law set forth its billing rates. Resident Tom Houser asked if the collective bargaining matter involved all township employees, not just the police. Atty. Wallbillich informed him that the matter concerned only the police force. Resident Ray Trojan suggested that the township simply talk to the police force first, to see if things could be worked out without the necessity of incurring the costs of legal representation. Supervisor Jill Careyva tabled the matter until the next regularly-scheduled meeting.
* Police Report: Officer Christopher Dimmick stated that no police report was available, as it had been provided to the former township secretary, who had resigned effective August 12, 2022, and who had not printed the report for Officer Dimmick.
* Road Report: Supervisor Jill Careyva said no road report was available. She reported, however, that the road crew had got the tar and chip machine working, and that the crew had used the machine to patch pot holes on Green Mountain Road.
* Code & Zoning Report: The Code Enforcement Officer and the Zoning Officer were both absent. Supervisor Jill Careyva informed the Board that six permits had been issued, and one hearing scheduled. Supervisor Mummey made a motion to accept the report, Supervisor Careyva seconded it, all in favor, motion carried.
* Engineer’s Report: The township engineer reported that there was no start date for the repair of the roads, but an end date of October 15, 2022 was set. He further stated that some preliminary work had been done regarding the equipment of the American Legion playground. Supervisor Careyva moved to accept the Engineer's Report, Supervisor Mummey seconded the motion, vote was all in favor, motion carried.
* Other Officer Reports: NONE
* **Old Business:**
* Supervisor Jill Careyva moved to sign the June 1, 2022 engagement letter for the annual audit to be performed by the accounting firm of Moore and Moore. Supervisor Mummey seconded the motion, vote was all in favor, motion carried.
* A discussion was held on the contracts to fix/maintain the township's roads. A discussion was held on the street sweeping machine. No motions made on this topic.
* A discussion was held on the recently-completed community cleanup. Supervisor Jill Careyva reported that 102 property owners had signed up to participate in the cleanup. The township workers picked up 85.5 tons of material, which filled nine dumpsters. The township had solicited paid volunteers and one volunteer came forward at the cost of $ 15.00 per hour.

 **New Business**

* County recycling. Supervisor Careyva informed the Board that Schuylkill County would hold a recycling event during the period September 15-17, 2022. She stated that the County would provide the dumpsters. She further stated that payment of a small fee would be required, based on the nature of the items to be recycled. She stated that appliances could be recycled, but no electronics. She informed the Board the East Union Township would be participating in this event. No motion made on this issue.
* Emergency Management Life and Safety Issues. Supervisor Mummey informed the Board that Schuylkill County has asked for township participation in matters involving Life and Safety issues. Specifically, he stated that these issues were the Command System, a Facial Hair policy, and a county-wide accountability system. Supervisor Mummey moved to participate in this endeavor. Jon Dettery seconded the motion, vote was all in favor, motion carried.
* Discussion of Insurance Coverage for Road Crew. The supervisors discussed affirming insurance coverage for the road crew effective September 1, 2022. Supervisor Jill Careyva made a motion to affirm the insurance coverage, Supervisor Mummey seconded the motion, vote was all in favor, motion carried.
* Resignation of Township Secretary Stephanie Van Gieson. Supervisor Jill Careyva read a letter from Stephanie Van Gieson in which Ms. Van Gieson stated her intention to resign as township secretary effective August 12, 2022. Supervisor Carevya made a motion to accept the resignation, Jon Dettery seconded it, vote was all in favor, motion carried.
* Resignation of Township Treasurer Kate Hendricks. Supervisor Jill Careyva read a letter from Kate Hendricks, Township Treasurer, in which Ms. Hendricks state her intention to resign as township treasurer effective September 1, 2022. Supervisor Careyva made a motion to accept the resignation, Supervisor Mummey seconded the motion, vote was all in favor, motion carried.
* Discussion of reduction of hours of operation of municipal building. No motion made on this topic.
* Discussion of engaging services of temporary agencies to fill secretary's and treasurer's positions. Supervisor Careyva stated that she had contacted several temporary employment agencies to see if they could fill the positions of secretary and treasurer. She also informed the Board of her efforts, through advertising in the newspapers, to fill the position of Secretary/Treasurer. She stated that, despite advertising in two newspapers, no applications for the position had been received. Resident Tom Houser asked if the advertisement had been made with the intention of finding one person to fill both positions. Supervisor Careyva said yes, that was the intent, but it would also be acceptable to hire one person to do the secretary's job, and another to do the treasurer's job. Supervisor Careyva made a motion that the Board allow her to sign the necessary documents provided by all three temporary agencies to begin the process of finding temporary workers for the open positions. Supervisor Dettery seconded the motion, vote was all in favor, motion carried.
* Discussion of the appointment of a temporary Open Records Officer to handle Right to Know Law Requests. Supervisor Careyva stated that the Board should hire a temporary Open Records Officer and suggested that Stephen J. Bushinski be hired for the position. Mr. Bushinski stated that he would be willing to serve on a temporary basis at the rate of $ 50.00 per hour. He stated, further, that he would need the whole-hearted support of the supervisors to be successful in the position, and that he would need to use the township's copier, when necessary. He further stated that he would require the township to pick up the cost of postage, and provide secretarial support when necessary. He also stated that he would need access to the township website to post documents related to Right to Know Law requests. He further stated that he wanted any appointment to be effective September 1, 2022. Supervisor Careyva made a motion to appoint Mr. Bushinski as temporary Open Records Officer at the rate of $ 50.00 per hour. Jon Dettery seconded the motion. Supervisor Mummey abstained in the vote, the motion carried 2-0.
* Motion to advertise for the position of permanent Open Records Officer. Supervisor Careyva made a motion to advertise for the position of a permanent Open Records Officer. Supervisor Mummey seconded the motion, vote was all in favor, motion carried.
* Discussion on adoption of noise ordinance. Supervisor Mummey stated that he could find nothing in the quality-of-life ordinance that addressed the issue of noise. He stated he could provide a copy of Beaver Meadows' ordinance. Atty. Wallbillich stated that he could get a draft ordinance from PSATS. No motion was made on this topic.
* Purchase of a welder. Supervisor Careyva proposed buying a used welder for use by the township road workers, at the cost of $ 500.00. She stated that the welder came with a one-year warranty. Several residents objected to this purchase, and Supervisor Careyva tabled the matter until the next meeting.
* **Public Participation:**

 ► Ray Trojan. Ray Trojan stated that he had observed a lot of surveying going on around his property on Route 924 north of Oneida. He asked the supervisors if this activity was connected to the recently formed ATV park that had been announced by the Commonwealth. The supervisors replied that they had no information on this matter, that the Commonwealth had not seen fit to inform the township of anything regarding the ATV park. Mr. Trojan also stated he had heard rumors that a large warehouse was being planned near his house and asked the supervisors if this was true. Again, the supervisors replied that they had no knowledge of such rumor.

 ► Jo Anna Shovlin. Eagle Rock resident Jo Anna Shovlin stated that she belonged to an organization that wanted to recognize township veterans for their service. She said that a meet-and-greet was being considered for November 11, 2022, and that a flyer announcing the event was being prepared. She asked that the township consider posting the flyer.

 ► Martin Kutsko. Martin Kutsko stated that he observed people driving too fast through the Village of Brandonville, where he lives, and questioned why the police doing anything about it. He further stated that he had observed groups of ATV's driving on Route 924, in violation of the law, and again questioned why the police were not stopping this illegal activity. Supervisor Mummey stated his opinion that Officer Christopher Dimmick was doing a fine job on traffic enforcement and that, due to limited police resources, the township simply could not enforce the traffic laws to the extent desired. Mr. Kutsko also asked about the status of the sale of the Brandonville firehouse. Resident Robert Gabardi, who is associated with the Sheppton-Oneida Volunteer Fire Company (the current owner of the property) stated that the sale was still under contract, but that he could provide no further information. Mr. Kutsko further stated that the grass was very high on the Danchision property in Brandonville, and that it should be cut.

 ► Tom Houser. Resident Tom Houser stated that there was no record that the township code enforcement officer had ever been duly sworn in. He read a section of the township code that provided that appointed officers must be sworn in. Atty. Wallbillich stated that this section applied only to elected officials and those persons appointed to fill vacancies in elected office.

 ►Jim Grohol. Resident Jim Grohol expressed concerns that the large warehouses in the Humboldt Industrial Park were sinking wells, and that these wells would deplete the water table in the area, to the detriment of area residents. Resident Robert Gabardi stated that the water for these facilities was provided from sources other than local wells and that the water table in East Union Township would not be affected.

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* **Agenda Additions.**

 **►** Atty. Wallbillich asked the Board to amend the agenda to include language concerning a tax assessment appeal scheduled for September 6, 2022. Atty. Wallbillich reported that Schuylkill County had been imposing property tax on parcels that East Union Township had acquired by various means over the years. Atty. Wallbillich stated that, by law, the Township was exempt from property tax and that he had appealed the imposition of the tax, and sought to recover tax that had been improperly assessed in the past. He said it was necessary that a member of the Board, preferably Jill Careyva, accompany him to the appeal as the Township's representative. Supervisor Dettery made a motion to amend the agenda to add this topic, Supervisor Mummey seconded the motion, all voted in favor, motion carried.

Supervisor Dettery then made a motion that Supervisor Jill Careyva attend the September 6, 2022 assessment appeal along with Atty. Wallbillich. Supervisor Mummey seconded the motion, all voted in favor, motion carried.

* **Executive Session – Personnel – *WAS NOT NEEDED / EXECUTIVE SESSION DID NOT OCCUR***
* **Motion to Adjourn:** Motion made by Jill Careyva, seconded by Jon Dettery, all voted in favor, motion carried.
* **Time Meeting Adjourned: 9:00 pm**
* **Members of Public in Attendance (please see attached sign-in sheet):** Edwina Matuszkiewcz, Stephen Bushinski, Pam Hartz, Bob Gabardi, Martin Kutsko, Mike Gaizick, Jackie & Tom Houser, Ed Casey, Michael Kakaley, John Grohol, Lisa Davidson, Mary Stitzer, and James Grohol