**Meeting Minutes January 2023**

**Time Meeting called to order: 6:00 pm**

**Supervisor’s Present at Meeting:** Chairperson - Jill Careyva, Vice-Chairperson - Jon Dettery, Solicitor - James Wallbillich, Secretary - Liza Verges, Code Enforcement Officer - Tara Dolzani

**Late:** Engineer- William Everett, Zoning Officer - Jonathon Biros

**Absent:** Supervisor **-** Kyle Mummey, Open Records Officer – Stephen Bushinski

**Public Comment on Agenda Items Only:**

**Reports**

* Motion to approve Regular Meeting Minutes for December 2022: Motion made by Jill Careyva, seconded by Jon Dettery. All in favor, motion carried.
* Treasurer’s Report: Motion to accept Treasurers Report and bills for payment for December 2022. Motion made by Jill Careyva, seconded by Jon Dettery. All in favor, motion carried.
* Solicitor’s Report

1)  Houser appeal of L&B/Biros rezoning: James Wallbillich states Mr. Houser has filed an appeal against the L&B Landholding Rezoning. It has gone through its hearing and is now scheduled for January 31, 2023 at 6pm at the Municipal Building. It’s a decisional meeting at which the Zoning Hearing Board will announce their decision on the hearing held December 19, 2022.

2)  SOVFC request for Plan approval: At last month’s meeting it was turned back. The solicitor had sent a letter essentially outlining what they were asking for so that they can follow through with the Townships ordinance.

3)  Cogan Appeal: Relating to the shooting range facility, they have appealed the decision against them. Attorney Joseph Baranko has notified the participants in that proceeding. He prepared the record from that zoning proceeding, certified it and filed on December 29th, 2022 at the court house. The case will now likely be decided by a judge on the briefs that the participants in that case may want to submit to the court for it to be considered.

4)  Noise Ordinance

5)  Recovery/invoicing for application fees/costs

The solicitor is still working on the Noise Ordinance and the recovering/invoicing for application fees/costs in which he plans to make a complete presentation at the next month’s meeting.

Motion to accept Solicitor’s Report for December 2022. Motion made by Jill Careyva, seconded by Jon Dettery. All in favor, motion carried.

* Police Report: Motion to accept Police Report for December 2022. No report available. Chief of Police is on Medical Leave. Martin Kutsko asked if he is the only one that can write up the report, to which Officer Chris Dimmick responded yes. He stated only the Chief of Police can type up the report, no one else is allowed to.
* Code and Zoning Report: There were many code violations and notifications will be mailed out on January 7th, 2023. Motion to accept Code Report made by Jill Careyva, seconded by Jon Dettery. All in favor, motion carried.

Motion to accept the Zoning Reports for December 2022 made by Jill Careyva, seconded by Jon Dettery. All in favor motion carried.

* Engineer’s Report: We have the paving project. Some pothole that developed on Old Mill Road. We’re holding some money back from the contractors. There was a 1.5% fee for not paying the invoice. Which he will negotiate it as there are several surfaces that have new potholes. Someone asks why it wasn’t paid. Jill Careyva states the Company wanted all 3 Supervisors signatures and not everyone signed. She continues to say we didn’t send any of it, but we did recently send a payment just not all of it. There is a maintenance bond which is valid for a year. Ann Kuzma states we didn’t even get a hard winter yet. The project was completed and it hasn’t been 2 months and there are potholes, it’s not right.
1. Use of Brake Retarders in Brandonville: The way the regulations are stated anywhere above 4% grade or steeper can have a sign. It can be done but there is only a quarter of the mile in which they can put up a sign then it drops off gets steep again in another quarter of a mile. It will be a sign, a spot with no sign, sign.
2. Storm Water line along East side of 924 – There are some issues by the post office and the slope is pretty flat. There are still metal pipes along 924 from East Market Street down to the post office, but it’s about 600 feet of storm water line needing some jetting about $84,000-$85,000 roughly. Jill Careyva states it should be within our 5-year Road Plan. Engineer states that it should really be up to Penn Dot’s jurisdiction. A member of the audience mentions that on Phineyville Road with the latest storm there is a thick sheet of ice that formed and it’s on a spot where the sun does not shine allowing the ice to melt. Jon Dettery comments that the water runs down along Phineyville Road and has nowhere to go. Solicitor does not want to discourage anyone for Motion to accept Engineer’s Report for December 2022. Motion made by Jill Careyva, seconded by Jon Dettery. All in favor, motion carried.
* Road Report - Advertising for New Road Master. Which will be discussed during Executive Session. Report included in Engineers report.
* Open Records Report: No report available, there were no Right to Know Forms requested for December 2022.

**Old Business:**

* Discuss 2022 Audit: Jill Careyva states that at last month’s meeting it was approved that they were going to advertise for someone to do the audit as the Auditors refused. The ad did not run due to secretary having emergency surgery. Ad will run this month. Last year, Moore and Moore Associates were chosen to do the audit at a good price.
* Repository Sale: The solicitor states that it is when the someone has failed to pay the taxes long enough that the county puts the property up for sale. If there is a bid on the property, the county then informs that Tax District where the property is located that someone has placed a bid on said property. They allow the Tax District a period of time to object or approve the sale. Part of the reason you are given the opportunity is because if that sale gets finalized at the private sale price, it becomes the assessed value of the property from the point of sale forward. The solicitor gives an example of a $10,000 property sold at private sale for $1,000 in which the assessed value is now $1,000 moving forward. Kyle Mummey has sent an email stating that property is under a condemnation order and should not be sold at Repository Sale. The solicitor informs that there is nothing in the ordinance to that effect. Tara Dolzani states the property owner has been sent a condemnation notice, as well as informing the Schuylkill County Tax Assessment. Schuylkill County Tax Assessment requires the township to fill out and submit. If the township fails to submit the form, the sale will follow through. Jill Careyva makes a motion to approve the sale with the condition that the new owner must bring the property up to code. Jon Dettery seconded the motion. All in favor, motion carried.
* Reimbursement for Fire Demolition - Alicia Estudillo and Charles Wezner: The property has been demolished and the hold up on reimbursement is that Sewer Authority needs to inspect and make sure the sewer was inspected and capped off before the release of funds. Jonathon Biros has spoken to Robert Fugate Jr who works with the Sewer Authority. He informed that they have not inspected the laterals. Jonathon Biros states the day of the fire the water and electrical were shut off by the companies. The solicitor thinks it’s best for the homeowners and the Inspector of the Sewer Authority to meet and discuss the situation in order to proceed and get this resolved.
* Police Contract (Executive Session) – Tabled.
* Treasurer Resignation (Executive Session)

**New Business:**

* Re-Organization Meeting held on January 3rd, 2023: Motion to approve the Re-Organization Meeting Minutes of January 2023. Made by Jill Careyva, seconded by Jon Dettery. All in favor, motion carried.
* Adopt Tax Assessment Rates for 2023: Tax Rates did not increase. They remain the same as of 2022. Motion to adopt the Tax Assessment Rates for 2023 made by Jill Careyva, seconded by Jon Dettery. All in favor, motion carried.
* 2023 Municipal Primary Elections: There are no vacancies at this time to submit to the primary elections for the year of 2023. Motion to fill out the form and submit to primary election before due date of January 23rd, 2023 made by Jill Careyva, seconded by Jon Dettery. All in favor, motion carried.
* Open Records Officer Resignation – Stephen Bushinski was only appointed temporarily. He will stay on until we can find another ORO. Motion to Advertise for an Open Records Officer made by Jill Careyva, seconded by Jon Dettery. All in favor, motion carried.
* Discuss Planning and Zoning Boards – Jill Careyva states there have been many requests for new zoning and it’s costing the township so much money between meeting, hearings, and lawyers. She would like to make a motion to send a letter (doesn’t mean they will take us) to Schuylkill County to see if they would take planning and zoning boards back. Members of the public are upset as to why. Jill Careyva responds look what is happening here. A member of the public speaks stating she is against it, it’s happening here, we live here, we fought to get our boards. Someone shouts the Board does not care about us! Jill Careyva continues to state that it doesn’t much matter what happens here they can go down to the County in the end anyhow. Someone shouts so what! To which Jill Careyva replies let me talk. Jill Careyva continues saying the one main thing we need is a Comprehensive Plan here. We do not have one. This is why everything and everyone can get pass through like the Cogan Properties. It would cost about $30,000-$40,000 to even get started on making a Comprehensive Plan. Someone interrupts again shouting, you the board are supposed to fight for us and what we want! Jill Careyva shouts back and I do! Jo Anna Shovlin, a member of the Zoning Hearing Board, want to address the board. She is informed she can talk during Public Comment; to which she states this is tying in to getting rid of the Zoning Boards. Someone shouts well get rid of the Police and go back to state Police too! The Solicitor states this is the reason why we don’t have a public comment during the board’s consideration of the motion because people just yell out interrupting other people. His suggestion would be because of the nature of the issue and the people are here for a board given 2-3 minutes uninterrupted respected discussion by a person by a pending motion which has not been seconded yet. As matter of decorum this is board business you can comment on the end or at the agenda item at the beginning. If you want to hear a few comments from members from a particular board or other citizens by raising their hand and being recognized stating their name and not interrupting others would be better handling of this. Jill Careyva allows Jo Anna Shovlin to speak on behalf of the zoning board. She states Jill Careyva is absolutely 110% correct, the township needs a Comprehensive Plan. She states our Comprehensive Plan runs through Schuylkill County and it has not been updated since 2007. The reason she is speaking to the board is to do an exploratory for 2024, because the budget is already taken care of for this year. She states we should put it in the budget for 2024, a Comprehensive Plan. The Comprehensive Plan should include updated Ordinances. We need to be updated. By putting the $30,000 in to Comprehensive Plan, it would save a lot of money on solicitors and court proceedings. Instead of disbanding the boards, you should give us the tools to do a good job. We got 9 months to get bids to find out how much a Comprehensive Plan would entail. She continues to say we cannot get rid of the Zoning Boards. We have to keep East Union Township moving forward. Ann Kuzma another member of the Zoning Board speaks that we should write a letter to get an attorney above the County and review the state law. Even if we get a new Comprehensive Plan, if the anyone can appeal and go above it to Schuylkill County it defeats the purpose. The Solicitor states, the State is governed by the same statue allover called the Municipalities Planning Code. Under the Municipalities Planning Code, the municipalities are supposed to have a new Comprehensive Plan every 10 years. What happens in the procedures is you make your Comprehensive plan and it outline s the goals and the reality of what the township is. What kind of properties are there such as; residential, rural, industrial and commercial. The planning process goes forward with the public input that states what it should be. What you have to keep in mind is that as soon as that Comprehensive Plan is adopted it is fixed in time. It only reflects in photograph what the township is. That is why they want you to adopt a new one every 10 years. Our Comprehensive Plan is supposed to line up with the County’s Comprehensive Plan. Jill Careyva states that its only to gather information. Jill Careyva made a motion to write a letter to Schuylkill County to gather information. The motion was not seconded. Jon Dettery states it should be tabled until all supervisors are present. Jill Careyva states it will be tabled for a future date.
* Social Media Account – Jill Careyva states that a lot of members of the public do not get the newspaper or check our website. She would like to create a Facebook page for the Township to be able to post ads for employment and meetings. Members of the public state even though you post ads on Facebook you will still have to post in the newspaper. Jill Careyva states she is aware of that but if there are some items that do not need to be posted on the newspaper that we can post on Facebook such as Township events.
* New Applications for Road Crew (Executive Session)
* Discussion on Police coverage and adding additional part time officers: to be discussed during Executive Session. Kyle Mummey wanted to discuss this but since he is not here, we will table it for the future.
* Discussion on key access for office for all three supervisors: to be discussed during Executive Session. Kyle Mummey wanted to discuss this but since he is not here, we will table it for the future.
* Executive Session: Personnel and Litigation Matters - Motion to enter into executive session made by Jill Careyva, seconded by Jon Dettery. All in favor, motion carried. Executive session started at 7:19pm ended at 7:28pm
* Jill Careyva made amotion to accept Michele Greenly’s treasurer resignation, seconded by Jon Dettery. All in favor, motion carried.
* Jill Careyva made a motion to accept Stephen Bushinski’s AORO resignation, seconded by Jon Dettery. All in favor, motion carried.
* Jill Careyva made a motion to hire John Good as a part time snow plow driver at $20.00 and hour on an as needed bases to plow snow. Seconded by Jon Dettery, all in favor, motion carried.
* Jill Careyva informs the public that Jon Dettery plowed snow by himself

**Public Participation:**

A member of the public asked about the Police Chief being absent for the month of December. To which Jill Careyva replied that he was out because of medical reasons. He continued as to how were they covering the shifts? To which she replied we have 2 full time officers and 3 part time officers picking up shifts.

Ray Trojan asks what is going on behind the homes on 924? There is equipment going in and out working. Another member of the public asks if they were given any permits?

Martin Kutsko states he heard the engineers report, now what is going to be done about the brake retarders? The engineer brings out a map to show him. Bob Gabardi states that a couple of years ago some one else had the same complaint and Penn Dot said no because of the hill.

**Motion to Adjourn and Time:** Motion to adjourn made by Jill Careyva, seconded by Jon Dettery. All in favor, meeting adjourned at 7:39pm.

**Members of Public in Attendance (please see attached sign-in sheet):** Tara Dolzani, Ann Kuzma, Joe Evancho, Martin Kutsko, John Grohol, Pam Hartz, Edwina Matuszkiewicz, Jackie Houser, Amy Austra, Condeido Flaim, Kris Pasupuleli, Bob Gabardi, Jo Anna Shovlin.