**Meeting Minutes March 2023**

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

**Supervisor’s Present at Meeting:** Chairperson - Jill Careyva, Vice Chairperson - Jon Dettery, Supervisor - Kyle Mummey, Solicitor - James Wallbillich, Zoning Officer – Jonathon Biros, Code Enforcement Officer – Tara Dolzani, Engineer – William Everett

Absent: Secretary/Treasurer - Liza Verges

**Public Comment on Agenda Items Only:**

1. Tom Houser asked about the recovery/invoicing for application fees/costs listed under Solicitor’s Report.
2. Martin Kutsko asked if we are getting a police report for December 2022.

**Reports**

* Motion to approve Regular Meeting Minutes for February 2023 made by Jon Dettery, seconded by Kyle Mummey. All in favor, motion carried.
* Treasurer’s Report – Jill Careyva read letter submitted by Liza Verges explaining her absence. Tom Houser asked about the 1.5% fee added to invoices from H&K Group. Pam Hartz asked if there were any other issues with invoices. Amy Austra asked why were there missing signatures. Tom Houser asked about the EFT transfers on the treasurer’s report and where they came from. Treasurer’s report tabled until next meeting so treasurer can explain it made by Kyle Mummey, seconded by Jon Dettery. Motion to approve list of bills for payment made by Jill Careyva, seconded by Jon Dettery.
* Zoning Report – There were 3 permits issued. He attended multiple Sewer Authority Meetings. Working with Sewer and Code on condemnation of properties that have been shut off from water and sewer for non-payment. A permit issued to E Market St that had significant water damage and a permit is for PPL for a pole replacement. The permit is needed because they are cutting into Municipal black top. The engineer is involved to insure it is brought up to municipal code. Aqua Water updating in the Cove and no permit is required. Schuylkill County reaching out because they are having issues with East Mountain not sending in Building Permits. They are behind 3-4 months because he not sending them the building permit for occupancy. Kyle Mummey stated he was in contact with Tino of East Mountain and there had seemed to be a miscommunication as he thought the Zoning officer or Municipal Secretary were sending them. Motion to accept Zoning Report for February 2023 made by Jill Careyva, seconded by Kyle Mummey. All in favor, motion carried.
* Solicitor’s Report
1. Noise Ordinance- He was able to circulate a draft ordinance to the supervisors prior to the meeting with a memorandum explaining some of the choices made into putting the Ordinance together. Trying to make it fit with the existing April 21, 2021 Codification as has been suggested. Also tried to find the best models that he could throughout the Commonwealth in compliance with the current state of the law. A selected model that goes on what’s called the Plainly Audible Standard. It’s basically if I can stand on my front porch and hear your stereo from across the street and its Plainly Audible to me; that’s a violation of the Ordinance. That takes away a lot of the “you should have been here 10 minutes ago when he was blasting the stereo” kinds of problems and the Plainly Audible Standard is allowed. In addition to the ordinance, you do not have the right to make noise. For example, you cannot stand up and yell FIRE in a crowded theater when there is no fire. If the supervisors can review it, we can publish it for 30 days and it can be considered adopting it at the next meeting. We will not need to have a hearing for it. Kyle Mummey thinks it works well with the Codification. If it’s acceptable as it has been presented then he would like for the board to consider a motion for advertisement of the Draft Ordinance. Tom Houser asked if there were any time constraints. For example, a neighbor running his lawn mower during the day is acceptable, just not at 10 pm at night. The solicitor suggests reviewing the Draft Ordinance and making recommendations for the next meeting. It’s intended to allow noise but provide a mechanism to deal with it. Motion to advertise for public review made by Jill Careyva, seconded by Kyle Mummey. All in favor, motion carried.
2. Recovery/invoicing for application fees/costs – Was not able to get a draft to the supervisors prior to the meeting. However, he did have a short memo with an outline with matters that he is aware of to hand to the supervisors to review. It involves changes to Zoning or appeals before the Zoning Hearing Board since he’s been Solicitor. What he plans to do is fill in the blanks with the amounts of the cost that occurred within each matter. The basis for any charges due, fees in cost occurred that can be found in the Schedule of Fees in the Planning Code and in Chapter 5 Schedule of Fees in the Codifications If fees have not been collected. If someone pays the fee its design to help offset some of the cost. The solicitor states there have been many changes between Secretaries and Treasurers and needs to coordinate with Attorney Baranko (Zoning Hearing Board Solicitor) and Jonathon Biros (Zoning Officer) to review fees paid.
3. Judicial Sale of 76 West Market St (Thomashefsky) - no actions needed. The property was up for the Upset Sale Process with Tax Assessment Bureau and never sold.

Motion to accept Solicitor’s Report for February 2023 made by Jill Careyva, seconded by Jon Dettery. All in favor, motion carried.

* Police Report – February 2023 Report given by Officer Dimmick. December 2022 Report also given by Officer Dimmick. Motion to accept Police Report for February 2023 and December 2022 made by Jill Careyva, seconded by Kyle Mummey. All in favor, motion carried.
* Code Enforcement Report – There were 4 abandon vehicles, 5 campers. 2 vehicles from January are now up to date which is good. Animal complaint of a Chicken Coop she dealt with it. She attended sewer meeting and they are in the process of condemning 3 properties in Oneida. She handed out a Building Permit application. There are 2 foundation properties currently under condemnation. The E Market St property has a contractor but it must be inspected by East Mountain. The other property in Oneida is the one that was for Tax Sale. The sewer Authority requested Code Enforcement to place a property under condemnation as the water and sewer have been shut-off since October 2022. The property is being occupied by adults, children and dogs. There is a sewage odor coming from the property. She states she prefers Police be present when condemning the property as there are big dogs that may be dangerous just to ensure everyone’s safety. Discussion on whether the next step be going to the county and reporting to Animal Control and Children and Youth. Solicitor thinks its best to discuss during Executive Session. Also contacted by a homeowner with a complaint of some stolen items, currently handled by State Police. Must appear at county court for citations issued. Motion to accept Code Enforcement Report for February 2023 made by Jill Careyva, seconded Kyle Mummey. All in favor, motion carried.
* Engineer’s Report – Township to withhold $24,000 to H&K Group, the rest of it was approved for payment and they did agree to come back and fixed the roads. There are some other roads and pipe work that really need to be done. They have started work on American Legion Park. They must have to have the funds spent before December of 2024. Tom Houser asked if they had enough funds to complete the park. The funds will set the waive for the next 3 phases of the project. Motion to accept Engineer’s Report for February 2023 made by Jill Careyva, seconded by Kyle Mummey. All in favor, motion carried.
* Road Report – Bart Smith was hired as roadcrew. Out and about with the snowplow. There is a lot of work out there cleaning culverts. Kyle Mummey thanks Colin Kelly for coming out and assisting the Fire Company with a falling tree. Tom Houser asked about a road going through the Cemetery during heavy rain storms it gets flooded because the culverts its blocked, was it cleared? No, they did clean out Pole Rd, Phineyville Rd, and many others. There were many ditches and culverts that are blocked. Motion to accept Road Report for February 2023 made by Jill Careyva, seconded by Jon Dettery. All in favor, motion carried.
* Open Records Report – No report no RTK Request for February 2023. Stephen Bushinski’s Resignation Letter effective March 3, 2023.
* PUMPY Project Committee Report- Jill Careyva mentions that a post was made on social media that she is against the Pumpy Project in which she states that is untrue. She motioned for the committee. No report at this time.

**Old Business:**

* DCED Police Program- Kyle Mummey stated that he has sent an email inquiring about the program. No response as of yet.
* AORO – Pam Hartz Volunteer Letter read aloud by Jill Careyva.

**New Business:**

* Motion to for Extended Zoom Meetings- A list of prices was given to the supervisors. Motion made by Jill Careyva, seconded by Kyle Mummey. All in favor, motion carried.
* Motion to apply for COSTARS Gas Card – There have been issues with slips not being handed in on time and payments being late. Kyle Mummey states the fire department were also looking into this card as well as it allows the purchase of fuel only; such as gasoline and diesel at COSTARS prices without slips being misplaced. Motion to apply for Gas Cards made by Jill Careyva, seconded by Jon Dettery. All in favor, motion carried.
* Motion to give Roadmaster authorization to buy parts up to $1,500.00. Tabled for further discussion by Kyle Mummey, seconded by Jon Dettery.
* Motion to appoint a new Agency Open Records Officer (Executive Session)
* Executive Session – Personnel. Motion to enter into Executive session made by Jill Careyva, seconded by Jon Dettery.

**Executive Session Time 6:55pm**

**Meeting Reconvened Time 7:25pm**

* Motion for Solicitor to send a letter of Job Abandonment to Nick Merva made by Jill Careyva, seconded by Jon Dettery. All in favor, motion carried.
* Motion to appoint Liza Verges as the Agency Open Records Officer (AORO) made by Jill Careyva, seconded by Kyle Mummey. All in favor, motion carried.

**Public Participation:**

Tom Houser - There was a discussion on the SOVFC Minor-Subdivision what has been done on this. Kyle Mummey said it was a stale mate. Tom also asked about the discussion on the letter being written and sent out to Schuylkill County about returning Zoning. Jill Careyva said there was no motion made on it and so no further discussion on this matter.

Liz Tolan - She is the Township Manager at Sugarloaf Township. She has a couple of years Municipal Government experience and 25 years Commercial Business experience. She was just appointed in the Pennsylvania State Association of Township Supervisors Standing Committee to help with legislation and training for townships throughout the Commonwealth. Lives in the area for over 21years. Her experience will help benefit the Township and she is running for Supervisor in the upcoming election.

Pam Hartz- The secretary is now treasurer and hopefully she stays as the Treasurer. Can we get a program so she can print out a treasurer’s report like the one Michael Gaisick would hand in. Jill Careyva states we just updated our Quick-books that was just downloaded last month. It came up last meeting and we did discuss it with her. We will mention it to her again. Also bills should be handed to the public along with treasurer’s report.

Gary Horn- Are permits required for logging? Heavy logging equipment has damaged/cracked the roads that were previously fixed. He has pictures of the road damages.

Amy Austra- There was an issue with an illegal logging company and the Zoning Officer Jonathon Biros never found them and they did not have a permit.

 Board of Supervisors asked the Engineer and Roadmaster to take a look and assess the damages.

Boy Scouts Grayson Myrtle and he is going for his Citizenship in the Community Badge.

**Motion to Adjourn and Time: 7:45 pm**

**Members of Public in Attendance (please see attached sign-in sheet):** Tara Dolzani, Wendy Danchision, Ann Kuzma, Martin Kutsko, Jackie Houser, Thomas Houser, Pam Hartz, Bob Gabardi, Amy Austra, Gary Horn, Liz Tolan.