**Meeting Minutes July 2023**

**Time Meeting called to order: 6:05pm**

**Supervisor’s Present at Meeting:** Chairperson – Jill Careyva, Supervisor – Kyle Mummey, Solicitor – James Wallbillich, Secretary/Treasurer – Liza Verges, Code Enforcement Officer – Tara Dolzani, Engineer – William Everett (Late)

**Absent:** Vice Chairperson **–** Jon Dettery, Zoning Officer – Jonathon Biros

**Public Comment on Agenda Items Only:**

Pam Hartz commented on the Executive Session. It states Personnel Matters and/or Litigation Matters. That’s just a generic wording. It needs to be specific in detail to be in compliance with the Sunshine Act.

**Reports**

* Motion to approve Regular Meeting Minutes for May 2023 and June 2023: Motion to approve May 2023 Meeting Minutes made by Jill Careyva, seconded by Kyle Mummey. All in favor, motion carried. Motion to approve June 2023 Meeting Minutes made by Jill Careyva, seconded by Kyle Mummey. All in favor, motion carried.
* Treasurer’s Report - Motion to accept Treasurer’s Report & bills for payment for June 2023. Kyle Mummey comments on the Engineer’s billing and how they have tripled from the previous months and would like to review them further. Motion to accept the treasurer’s report and approve bills for payment except Carbon Engineering’s bill made by Jill Careyva, seconded by Kyle Mummey. All in favor, motion carried.
* Solicitor’s Report – No report given at this time. He will discuss with Board of Supervisors during executive session regarding personnel matter which are claims by 2 former employees and litigation matters. Motion to accept Solicitor’s Report for June 2023 made by Jill Careyva, seconded by Kyle Mummey. All in favor, motion carried.
* Zoning Report – Report read by the secretary. There were 2 permits issued, 1 permit under review, 4 violations, 0 Planning Board actions, and 1 Zoning Hearing Board action. The 2 permits issued were for Schmidt’s Auto LLC for non-confirming use automotive sale and to River Mountain Church for a permanent sign. The 4 violations were sent certified mail to residents for operating without a permit. The Zoning Hearing Board action is for the Hershey Variance to be held July 10th 2023 for Dimensional Use. Danchision to be schedule for Zoning Hearing upon complete submission. Motion to accept Zoning Report for June 2023 made by Jill Careyva, seconded by Kyle Mummey. All in favor, motion carried.
* Police Report – Report given by Sergeant Dimmick. Motion to accept Police Report for June 2023 made by Jill Careyva, seconded by Kyle Mummey. All in favor, motion carried.
* Code Enforcement Report – Tara Dolzani states the following code violations given were for 4 abandon vehicles, 2 passenger cars, 2 farm equipment, and 1 RV/Camper which has been addressed with the owner. He is aware of the Township Ordinance which states that RV/ Campers cannot be stored on his property. The owner had 3 RV/Campers on his property at the time of the call. There were 2 Building Permit Violations. The Burning Ordinance states NO OPEN BURNING. Extreme caution when burning this time of year. No burning of cardboard, trash or plastics. Burning should be in a 50-gallon barrel with a screen on top; 20 feet from structure and 50 feet from neighboring structure. There was 1 violation for Fencing/ Permit on a commercial property, 1 for High Grass/Weeds and 1 for a Mobile Sign on a residential property. 2 Violations for quality of life. She states if anyone has an issue with her performance to please address it with her rather than commenting on it during a Zoning Meeting. Kyle Mummey states she is doing a fantastic job and to pay no mind to the outside noise. Motion to accept Code Enforcement Report for June 2023 made by Jill Careyva, seconded by Kyle Mummey. All in favor, motion carried.
* Road Report – Colin Kelly states they have been mowing to get the township ready for the 4th of July weekend. They have been cleaning ditches but with the 5 inches of rain there is a lot of water on the roads, plenty of work there. The equipment problem with back hoe is now working fine. They were behind on maintenance work with the Clean-Up. Motion to accept Road Report for June 2023 made by Jill Careyva, seconded by Kyle Mummey. All in favor, motion carried.
* Open Records Report – Liza Verges states there were 2 Rights to Know requests received. RTK tracking # 2023-06-01 received on June 12th and responded on June 19th was for the EUTPD and that request was denied. RTK tracking # 2023-06-02 was received on June 28, 2023 and responded on July 6, 2023 was for total amount paid to Attorney Karpovich for representing the EUT Auditors. It was partially denied because no record exists, however there was data reflecting the bills paid and that was given to the requestor. Motion to accept Open Records Report for June 2023 made by Jill Careyva, seconded by Kyle Mummey. All in favor, motion carried.
* Pumpy Project Report- Rick Grabosky states there is not much going on with everyone away for the holiday to report other than clean-up. Motion to accept Pumpy Project Report for June 2023 made by Jill Careyva, seconded by Kyle Mummey. All in favor, motion carried.
* Engineer’s Report – William Everett states in the past month, 2nd Boulevard in Brandonville couple of drawings to look at with the contractors. Awaiting on PennDOT’s approval for the spending. With regards to the Legion Playground, they have sent letters out. Its in preliminary stage and should get started by spring time, next year. As for the paving project PennDOT has to approve. Motion to accept Engineer’s Report for June 2023 made by Jill Careyva, seconded by Kyle Mummey. All in favor, motion carried.

**Old Business:**

* Spring Clean Up- Jill Careyva states it was a great opportunity to get rid of junk for $10.00. It cost the Township $4,680.00 for all the dumpsters to take the trash. We collected a $1,000.00 from the residents who participated. A total of 92 residents’ trash was picked up and only 2 failed to pay as they stated it was part of their regular trash pick-up and not part of the Spring Clean-Up.

**New Business:**

* Minor Reverse Subdivision – Deborah Lynn Fortney: Attorney Wallbillich states that it was sent to the Planning Commission and it was sent back to the secretary to go before the Board of Supervisors. It basically puts 2 parcels back into 1. Attorney Baranko sent him the Ordinance # 4-2013 which governs East Union Townships Sub Division and Land Developments to exempt reverse subdivision when they meet certain criteria. The criteria generally are if you are removing lines between 2 contiguous residentially zoned lots for 3 existing parcels or less held in single ownership and when the total size of all parcels combined do not exceed 10 acres for the purpose of forming 1 tract. That’s not going to be classified as minor subdivision, it’s going to be classified as an exempt from subdivision processes annexation. The person that wants to do that needs to meets 3 things. A recorded deed of the existing tracts needing to be combined, a certified property outbound survey or legal description prepared by a professional land server licensed in the Commonwealth for the combined tracts and the deed in recordable form containing the legal description for the combined tracts of land and the proposed deed of annexation must be reviewed by the EUT Supervisors and Solicitor upon their approval. These are the requirements of Ordinance 4-2013. Motion to approve Deborah Lynn Fortney’s Minor Reverse Subdivision made by Jill Careyva, seconded by Kyle Mummey. All in favor, motion carried.
* Update on backhoe damage- Tabled and will be discussed during executive session due to some personnel issues.

-Pam Hartz states that if the BOS goes into executive session as it is written on the agenda, they would be violating the Sunshine Act.

-Attorney Wallbillich states to make a motion to amend the agenda to include the specificity of the Executive Session to include claims made by former employees in Personnel Matters and claims made by a former employee in Litigation Matters. He will look further into the matter.

* Executive Session- Personnel and Litigation Matters: Motion to amend the specificity of the Executive Session to include claims made by former employees in Personnel Matters and claims made by a former employee in Litigation Matters and repost the Amended Agenda made by Jill Careyva, seconded by Kyle Mummey. All in favor, motion carried.

**Executive Session started at 6:39pm and ended at 7:03pm**.

* Update on the Backhoe damage- Jill Careyva states the mechanics were up and found liquid soap was poured into the DEF Tank. The Chief of Police reviewed hours of video to see if anyone tampered with it. Nothing visible and no evidence of tampering. It would have cost $18,000 to purchase a new Backhoe. However, flushing it out was estimated at $1,500. They decided to flush it and it’s working fine now.
* Jill Careyva informs that Attorney Wallbillich is resigning as Township Solicitor. Motion to accept his resignation and advertise his position made by Jill Careyva, seconded by Kyle Mummey. All in favor motion carried.

**Public Participation:**

James Esposito asked is there a particular reason the Solicitor is resigning? Attorney Wallbillich states its personal.

Dennis Conti speaks about Careyva Farms. His family is fighting cancer since John Biros was in office. Nothing has been done. They spray pesticides 24 hours a day. He also mentions the Police in the Township. Someone broke his window and he never received a police report. The whole town is a disgrace. He paid $10,000 for a water filter for 1 gallon of water per day. The supervisors are supposed to help.

Diane Martz states her neighbor is burning every single day. Is there a Burn Ban? What about speeding on Route 924 because someone is going to get hurt and die.

Kyle Mummey states there is no Burn Ban but there is a Burn Ordinance. You are allowed to burn Monday through Saturday during daylight hours.

Martin Kutsko states he lives on Route 924 Brandonville and they are speeding and passing the double yellow lines. He never sees a cop run speeding down there.

Bob Gabardi states in the last 2 weeks, 5 accidents occurred on Route 924. There were 2 head on going down the mountain. A single car on the 4th of July, a rollover at the bottom of Shenandoah Mountain and then a tractor trailer. The fire department was there for 6 hours with the tractor trailer. Why are we using the same towing company? The guy didn’t have the right equipment to tow it and we were there directing traffic from 1pm – 7pm.

Sergeant Dimmick states the department uses Allen’s Towing and Steve’s Towing. They have never had an issue with them but Allen’s Towing does not come out after 5pm.

Pam Hartz asked who is the EMS provider now? Also, the zoning report mentioned giving violations to people who are working without a permit and the Zoning Officer fails to follow the rules himself. L&B Landholding has a permit for a 6 ft fence and they added an extra 2 ft to the fence. Also, the electric mobile sign must be shut off. She calls for his resignation.

Kyle Mummey states the EMS provider for Sheppton Route 924 South is Shenandoah. The EMS provider for the Industrial Park and Route 924 North is Lehigh Valley. As for the Zoning Officer you make valid points. He needs to be here to be able to answer some of these zoning questions.

Rick Grabosky states Route 924 is a problem. Either the part timers put more effort or hire someone to sit on the highway, 5 accidents already, people are going to get killed. Speeding violations is very minimal.

2 years ago, PennDOT was supposed to come and survey Route 924. What happened?

Kyle Mummey states there are 2 potential new employees for the police department and we should hire more cops. The DCED police study will come and survey the crime rate with the number of Officers employed. It will not help the speeding.

Sergeant Dimmick states there is Highway Safety through the state. The Township pays the salary of the officers and PennDOT will reimburse the Township. Its Safety Patrol, one does radar and one tags.

**Motion to Adjourn and Time by Jill Careyva at 7:30pm**

**Members of Public in Attendance (please see attached sign-in sheet):** Kris Pasupuleti, Edwina Matuszkiewicz, Wendy Danchision, Annette Leonard, Dennis Conti, Richard Grabosky, Martin Kutsko, Colin Kelly, Diane Martz, Travis Martz, Pam Hartz, Julio Ayala, Bob Gabardi