

Regular Meeting Minutes - September 19, 2023

Time Meeting called to order: 6pm

Supervisor's Present at Meeting: Chairwoman Jill Careyva, Vice Chairman Jon Dettery, Secretary Liza Verges, Zoning Officer Jonathon Biros, Engineer William Everett

Absent: Supervisor Kyle Mummey

Late: Code Enforcement Officer Tara Dolzani

Public Comment on Agenda Items Only: There were no public comments.

Motion to hire Shane Hobbs, Esq as Township Solicitor at a rate of \$100.00 an hour and \$500.00 per meeting from now until the end of the year made by Jill Careyva, seconded by Jon Dettery. All in favor, motion carried.

Reports

- Motion to approve Regular Meeting Minutes for August 2023, made by Jill Careyva, seconded by Jon Dettery. All in favor, motion carried.
 - Motion to approve Special Meeting Minutes for August 10th, 2023, made by Jill Careyva, seconded by Jon Dettery. All in favor, motion carried.
 - Motion to approve Special Meeting Minutes for August 24th, 2023, made by Jill Careyva, seconded by Jon Dettery. All in favor, motion carried.
 - Treasurer Report – Jill Careyva states we do not have a Treasurer currently. Liza Verges did resign, and she did make us a list of bills that need to be paid and paid all employees. Motion to accept Treasurer Report and bills to be paid for August 2023 made by Jon Dettery, seconded by Jill Careyva. All in favor, motion carried.
 - Zoning Report –There were 6 permits issued and 3 permits under review. There were 0 violations and 0 planning board actions. There was 1 Zoning Hearing Board action set for October 11th, 2023, for Mr. Glenn Trutt for a Dimensional Variance. Motion to accept Zoning Report for August 2023 made by Jill Careyva, seconded by Jon Dettery. All in favor, motion carried.
- 1) Pam Hartz states a decision was never made as far as permits issued and signed by the Engineer. She states the zoning officer circumvented the system and went above the UCC Officer and Code Enforcement Officer and had the engineer sign permits for his personal property. The engineer was not designated at the time to issue and sign permits. Jonathon Biros states it was a conflict of interest. Regarding past criteria, the way it was operated in the past, and speaking with our Zoning Solicitor Mr. Baranko who was our Solicitor at the time for every other motion that we made. Our engineer would cover if I could not do zoning because they are overly qualified to issue a permit more so than myself, a code enforcement officer or any other official in the municipality. The solicitor states it seems they did the right thing by doing it that way. Pam Hartz states the engineer was not designated at all to sign or issue. Jonathon Biros states the permits were issued about 45 days ago. He also states a criteria had already been established prior to that going back to 2018 when there was

conflict of interest. Jill Careyva states that she was informed that the Code Enforcement Officer was escorted off the property for trespassing. Pam Hartz arguably states that is false information. The Solicitor states that if they want the permits revoked? Pam Hartz states there is work being done already and those permits should be revoked, and the work should not be completed. Jonathon Biros asks if Pam Hartz researched in the class 2 township and the municipal codes handbook that the alternate to a Zoning Officer shifts to the Code Enforcement Officer. Pam Hartz states no she did not read anything like that. The solicitor states there can be an appeal at the courts of common pleas. Pam Hartz states this has come up in prior meetings and it was leaning towards the permits being revoked but a decision has not been made. This is the 1st meeting the zoning officer has attended in months. Pam Hartz states they consulted with Attorney Baranko, and he stated the permits were invalid.

- Police Report – Sergeant Dimmick states that there are a lot of concerns about the Shepton Mountain. He has been in contact with PennDOT, and they are going to do an inspection on the roadway. They are also going to investigate and do a traffic study and consider changing the speed limit. No time frame as to when this will be done. Also, proposing the purchase of a solar powered speed monitor within PennDOT restrictions. Requirements are mustard yellow with 15-inch lettering when on a highway. Police Report given by Sergeant Dimmick. Motion to accept Police Report for August 2023, made by Jill Careyva, seconded by Jon Dettery. All in favor, motion carried.
- Code Enforcement Report – There was 1 abandoned vehicle warning given, 1 building permit violation, 1 assist for building permit application, 1 high weeds/grass violation in Brandonville, 3 noise complaints, 2 quality of life and 1 trespassing warning given. Motion to accept Code Enforcement Report for August 2023, made by Jill Careyva, seconded by Jon Dettery. All in favor, motion carried.
- Engineer’s Report – William Everett states we are opening the bids received. Only 1 bid was received from Lehigh Asphalt Paving. It’s right under the cost estimate of \$350,000 as discussed, it’s less at \$338,000. Review of the bid with the Board of Supervisors. The road that they really want to get done is 2nd Street in Brandonville. The treasurer must look at it also to see where the funding is. Jill Careyva states Kyle Mummey as a supervisor should be involved in making this decision. The solicitor states you can make a motion in subject to review. Motion to accept the Road Bid in subject of review upon the Solicitor, Engineer and Treasurer made by Jill Careyva, seconded by Jon Dettery. All in favor, motion carried. Motion to accept the Engineer’s Report for August 2023 made by Jill Careyva, seconded by Jon Dettery. All in favor, motion carried.
- Road Report – There are no members of the road crew present. Jill Careyva states they did great work helping with the Schuylkill County fall clean-up. A lot of tires were collected, and a lot of people got rid of a lot of items. It was worth the participation.
- Pumpy Project Report- Rick Grabosky states there is nothing to report currently.

Old Business:

- Motion to pay Mary Stitzer and/or Attorney Kim Borland \$17,000.00, as Order of Court dated July 17, 2023, in the Stitzer surcharge matter. The solicitor Shane Hobbs states there have been no appeals filed on this matter. Jill Careyva makes a motion to pay the court ordered fee of \$17,000 to Mary Stitzer and/or Attorney Kim Borland. Jon Dettery states as it is a court ordered therefore, he seconds the motion. Bob Gabardi asked Jon Dettery at the last meeting you declined because of conflict of interest in the matter. The solicitor informs it is his choice to vote but there is a chance the court ordered may be sanctioned because there were no appeals, and the payment is already delayed.
- DCED Police Survey update- no update available currently.

New Business:

- Discussion on hiring a new Solicitor - occurred at the start of the meeting.
- Hire a Treasurer- Jill Careyva states there were several interviews but not many. The position was offered to Liz Tolan. Jo Anna Shovlin asks if it's a conflict of interest as Liz Tolan works full time at Sugarloaf Township. Jill Careyva states no as the position is part time (less than 20 hours a week) and she can work evenings and weekends if needed. Motion to appoint Liz Tolan as Treasurer from now until the end of year, made by Jill Careyva, seconded by Jon Dettery. All in favor, motion carried.
- Hire an Agency Open Records Officer- Jill Careyva states only one applicant applied for the position and that was Liz Tolan. The position was offered to Liz Tolan. Motion to appoint Liz Tolan as Open Record Officer from now until the end of year made by Jill Careyva, seconded by Jon Dettery. All in favor, motion carried.
- Accept Code Enforcement Officer resignation - Jill Careyva read aloud Tara Dolzani's resignation letter. She would like to thank Tara for her work with the township. Tara Dolzani asks Jill Careyva to retract her statement as its false information about her being escorted off any property for trespassing. Jill Careyva states she discussed it with her after a meeting. Tara replies that discussion never occurred. Motion to accept the Code Enforcement Officer's letter of resignation made by Jill Careyva, seconded by Jon Dettery. All in favor, motion carried.
- Update on grant for comprehensive plan- Jill Careyva asks is there any updates? Jo Anna Shovlin stated she left it to Jill Careyva to apply for the grant. Jo Anna Shovlin has been working on the grant since September of 2022 and she has put a lot of work into the Comprehensive Plan. She states that at the last meeting it was said that Jill Careyva was to contact Ted Ritsick from DCED to apply for the grant. Jill Careyva states it was left that we were trying to get another community to go for the grant with us. Jo Anna Shovlin states that would have been part of the grant narrative that we reached out to other municipalities, and they all declined. The deadline to apply for the grant was missed by 7 days. Now we must wait until 2024 to apply for the grant.
- Executive Session to discuss employee absences. Motion to enter Executive Session made by Jill Careyva, seconded by Jon Dettery. All in favor, motion carried. Start Time 6:52 pm, End Time 7:00pm. Motion to reconvene meeting made by Jill Careyva, seconded by Jon Dettery. All in favor, motion carried.

Public Participation:

Liz Tolan wanted to introduce herself. She is the manager at Sugarloaf Township Municipality. She has a lot of experience with QuickBooks and accounting. She did inform her board of supervisors at Sugarloaf Twp. before taking the interview. Her job as treasurer does not require her to be here during the day. She will be available evenings and weekends. It's a part time position.

Jackie Houser asks Liz Tolan about her position as AORO. If she is not here during the day how will that work? Liz Tolan asks the Board of supervisors, may she respond? To which they replied yes. She said as per meeting decorum, she will turn and ask the supervisors before she responds to any questions. She continues to state that Rights to know law states you have 5 days to respond and if for any reason she can request a 30-day extension. The AORO does not report to the Board of Supervisors they report to the Right to Know Office.

Brothers Jonathan and Christian Good asks Bob Gabardi when you sold the old fire company was it surveyed? Where are the survey marks? Bob Gabardi states it was surveyed and they no longer own the property. They paid \$22,000 to have it surveyed and everything was marked. The brothers asked to see the survey and when was it done? The property was sold to Wendy Danchision who is running for Supervisor. They have cut down the trees that are behind there. There is a spring that runs behind there where the trees were cut, and they obstructed the water way. The water way runs to Park Crest Fish and Games. There is a chance the water way may be contaminated by the sediment. They have no permits for cutting the trees. Bob Gabardi states they got the property over a year ago. They were never going to fix the building and got a realtor to sell it. The realtor received 6 bids and they made the sale. The surveyor was from Schuylkill Haven. Liz Tolan states they can get assistance through Schuylkill County Conservation District.

Jackie Houser would like to know what happened with the permits that were in limbo. The permits were issued after the work was done and those permits should not have been valid. The solicitor will investigate the permit situation.

Pam Hartz would like to address the Fire Company, specifically the insurance the taxpayers and township pay. The rules and procedures that are put in place must be followed by volunteers. She tried to talk with Supervisor Kyle Mummey to which he did not respond. The last fatality they had a long-time member who is not an active member and was seen at the accident. The fire company's safety officer took the engine by himself to a motor vehicle accident which turned into a fatality. No one else was available. This long-time member showed up without any gear on or equipment. He has not updated his EVOC. We are paying for that insurance. The insurance will drop us. The safety officer said he would do it again, that they don't need training as anyone can come on a call and help because it's volunteer work. Bob Gabardi states he only repositioned the vehicle as he has a class A CDL. You don't need EVOC. He came on the scene with the truck and then put on his gear.

Bob Gabardi what's going to happen with the back of the house with the fiasco you created in the alley. Now every time it rains, the water goes into the alley and not the drain. Jon Dettery states they will look at it with the Engineer.

Amy Austra the ice that lays over Phineyville Road during winter season. The whole strip is a solid sheet of ice.

Rick Grabosky also would like the engineer to look at Girard Manor and Pole Road. There are a lot of ditches.

Jackie Houser asks if anyone other than the secretary can access the website to post meeting cancellations. She showed up for meetings that had been cancelled.

Tara Dolzani asks about the consequences of employees for having positive drug test. They have tested twice, and you have not gotten rid of anyone. It's a drug free workplace. Jill Careyva states no one working here has a positive drug test. Only one person has not returned to work. He was replaced with someone who was already on payroll. Pam Hartz asked if they were fired? The solicitor states they are working on it but they cannot discuss it.

Motion to Adjourn and Time: Motion to adjourn made by Jill Careyva at 7:30pm.

Members of Public in Attendance (please see attached sign-in sheet): Raymond Trojan, Kris Pasupuleti, Jo Anna Shovlin, John Grohol, Alfred Cicioni, Julio Ayala, Jonathan Good, Christian Good Jr., Amy Austra, Linda Croll, Edwina Matuszkiewicz, Pam Hartz, Jackie Houser, Rick Grabosky, Bob Gabardi, Amelia Lofts, Tara Dolzani, David Motyl, and Graysen Motyl.