

**Board of Supervisors  
Regular Meeting**

**March 7, 2022 6:30 PM  
East Penn Township Community Center**

The East Penn Township Board of Supervisors conducted their March 7, 2022 regular meeting at the East Penn Township Community Center. Chairman John M. Strockoz called the meeting to order at 6:30 PM followed by the Pledge of Allegiance.

**Roll Call:**

Supervisors Present	Chairman John M. Strockoz Vice Chairman William G. Schwab Keith House Gary Kuehner Dennis L. Pearson
Supervisors Absent	None
Other Township Officials Present	Township Manager/Secretary/Treasurer Jillyan A. Sterling Roadmaster Brandon Bradford Solicitor Robert S. Frycklund

**ANNOUNCE TO PUBLIC:**

Ashfield Playground Annual Easter Egg Hunt will be held on Saturday, April 16<sup>th</sup> at 1 pm. Children ages 1-12 years are welcome to participate. The public is invited to help color eggs on Thursday, April 14<sup>th</sup> at 6pm at the playground pavilion.

The Township Electronic Recycling Event will take place at the East Penn Township Community Center on November 19<sup>th</sup> from 9 am – 11 am.

**COURTESY of the FLOOR:**

Henry J. Tomasko Jr.: 123 Mountain Dr., Andreas: “Permit”- Mr. Tomasko’s Courtesy to the floor was deferred to item #16 of the agenda.

**APPROVALS:**

1	Minutes-	<i>Motion made by William G. Schwab, seconded by Keith House to approve the minutes of the February 7, 2022 Regular Meeting as presented. AIF. Motion Carried.</i>
2	Treasurer’s Report-	<i>Motion made by Gary Kuehner, seconded by Keith House to approve the Treasurer’s Report for February 1 through February 28, 2022 as presented. AIF. Motion Carried.</i>
3	Invoices for	<i>Motion made by Dennis L. Pearson, seconded by Gary Kuehner to</i>

	payment-	<p><i>approve the transfers and invoices for payment as presented. AIF. Motion Carried.</i>  <i>(Schwab abstained from BRC, Pencor Hydraulics, and Times News House abstained from any Union or Employee payments)</i></p>
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**ROADS:**

4	Road Report-	<p>Roadmaster Bradford reported to the Board and public that during the month of February they were out 5 times for snow and ice.</p> <ul style="list-style-type: none"> <li>-Hauled anti-skid throughout the month to keep the buildings full.</li> <li>-Finished up all the Winter maintenance on all the township equipment.</li> <li>-Power washed equipment after the storms.</li> <li>-Cold patched throughout the township.</li> <li>-Cleaned out drains and culverts throughout the township.</li> <li>-Met with Mike Muffley to go over the ARC view.</li> <li>-Fixed washouts throughout the township.</li> <li>-Church Hill shoulder drainage work was completed. Need to replace the last metal pipe once its closer to Spring.</li> <li>-Salt contract was completed for 2022-23 season.</li> </ul> <p>No updates on the pricing from National Gunite for the Germans Rd. culvert.</p>
5	<b>ROAD ITEMS-</b>  <b>S. Kittatinny-</b>  <b>Cunfer Rd.-</b>  <b>Ashfield Rd.-</b>	No updates

**SUBDIVISIONS, LAND DEVELOPMENT, STORMWATER MANAGEMENT:**

None

**UNFINISHED BUSINESS:**

6	<b>Updates on civil complaints:</b>  <b>Berger Creek Rd. –</b>	<p>Defendants Attorney filed a continuance for the oral argument which was scheduled for 2/22/22. New argument date is scheduled for March 28, 2022 at 10am, courtroom #3.</p>
7	<b>ARP Funds-</b> <b>Zelenkofske Axelrod</b>	<p>Zelenkofske Axelrod LLC, an auditing/accounting firm which is soliciting help to municipalities to navigate federal compliance and</p>

	<b>LLC</b>	reporting requirements costs for services exceeded the \$5,500.00 the Township had approved to utilize their services, the cost is \$11,000.00.  <i>Motion made by William G. Schwab, seconded by Keith House to not utilize the services of Zelenkofske Axelrod LLC in the amount of \$11,000.00. AIF. Motion Carried.</i>
<b>8</b>	<b>Permit Matters-</b>	Previously tabled- The Township Zoning Officer/BCO recommends that the Board of Supervisors authorize the Township Manager to send a letter both regular and certified to all the properties on the list from the County referencing structures without permits. Once a response is received the board can decide on a case-to-case basis how to proceed with the residents and the permits. If there is no response after 30-days, the board should proceed with site inspections and Notice of Violations. The Board will consider waiving the after-the-fact fee if they respond before the 30-day deadline.  <i>Motion made by William G. Schwab, seconded by Keith House, to proceed with the recommendation of the Township Zoning &amp; BCO Officer in enforcing property owners to comply with permit requirements. AIF. Motion Carried.</i>
<b>9</b>	<b>Grants-</b>	Grant preparation estimates were received from Hanover Engineering.  After much discussion between deciding on spending money on the Parks projects vs. debt reduction and equipment purchase savings the board made the following motion: <i>Motion was made by William G. Schwab, seconded by Gary Kuehner to add a motion to the agenda regarding grant application. AIF. Motion Carried.</i>  <i>Motion made by William G. Schwab, seconded by Dennis L. Pearson to authorize the Township Engineer to apply for the DCNR Land Acquisition Grant and the LSA Grant. AIF. Motion Carried.</i>  <i>Motion made by William G. Schwab, seconded by Dennis L. Pearson to approve Resolution #2022-12 known as the "LSA Grant Application". AIF. Motion Carried.</i>

**NEW BUSINESS:**

<b>10</b>	<b>Planning Commission Appointment-</b>	<i>Motion by William G. Schwab, seconded by Keith House to appoint <u>Dennis L. Pearson</u>, to fulfill the remainder of a 4-year vacancy that will end 12/31/2024. AIF. Motion Carried.</i>
<b>11</b>	<b>D&amp;L- LCRC Support Letter for Grant Application</b>	The D&L is requesting on behalf of the Lehigh Canal and Recreation Commission a letter of support from the Township to submit with their grant application for the Canal Overflow

		<p>Project.</p> <p><i>Motion made by William G. Schwab, seconded by Dennis L. Pearson to authorize the Manger to send a letter of support to D&amp;L in support of the LCRC's grant application. AIF. Motion Carried.</i></p>
12	Deputy Tax Collector Appointment-	<p><i>Motion made by Keith House, seconded by William G. Schwab to appoint Heidi Carr, Deputy Tax Collector as recommended by the Township Tax Collector, Kathy Henderson. AIF. Motion Carried.</i></p>
13	Recreation Committee- Ashfield Playground- Possible grant application--	<p><i>Motion made by Dennis L. Pearson, seconded by John M. Strocoz, to add a motion to the agenda for the Township regarding the Ashfield Playground bathroom. AIF. Motion Carried.</i></p> <p><i>Motion made by William G. Schwab, seconded by Dennis L. Pearson to authorize the Township Engineer to make recommendations on what will need to be done to the Ashfield Playground Bathroom and determine if any grants would be available to help with the costs. AIF. Motion Carried.</i></p>
14	Community Center Committee-	<p>Supervisor House discussed if the LSA grant would include upgrades to include a new kitchen since the Community Center is the Emergency Shelter. Vice-Chairman Schwab stated it could not include that.</p> <p><i>Motion made by William G. Schwab, seconded by Dennis L. Pearson to add to the agenda a motion and discussion regarding a ceiling mounted furnace in the Fire Co. owned by the Township that no longer works. AIF. Motion Carried.</i></p> <p><i>Motion made by John M. Strocoz, seconded by William G. Schwab to authorize the Fire Co. to do as they please in regard to the ceiling mounted furnace and oil. AIF. Motion Carried.</i></p>
15	Carbon County Tax Collection Committee-	<p>TCC is holding its next meeting on May 18, 2022. They informed our delegate at their February meeting that the Berkheimer collection contract expires at the end of 2022 and our delegate will need to vote on behalf of the Township if they would like to extend the contract with Berkheimer for another 10-years at no increase to their collection fee of 1.73% or authorize an RFP to find another collector.</p> <p><i>Motion made by William G. Schwab, seconded by John M. Strocoz to authorize the Township Delegate to recommend to the TCC that they extend the 10-year contract with Berkheimer. AIF. Motion Carried.</i></p>
16	123 Mountain Dr. Issue-	<p>The Board discussed an issue regarding 123 Mountain Dr. in which a variance was granted in 2015 to build a garage (accessory structure) before the primary structure. The primary was never built in the 3-year condition granted on the variance; the garage never had a final inspection so there was never a CO issued for</p>

		<p>the garage. Solicitor Frycklund advised the board that the permit for the garage is no longer valid since the principal structure was never built in the time the variance specified.</p> <p><i>Motion was made by Keith House, seconded by John M. Strockoz to add a motion to the agenda regarding a decision on 123 Mountain Dr. AIF. Motion Carried.</i></p> <p><i>Motion made by Keith House, seconded by John M. Strockoz to allow the resident to reapply for permits and apply to the ZHB for a variance on the garage and the house to be submitted within 1- year. AIF. Motion Carried.</i></p>
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**PARKS AND RECREATION:**

17	Updates-	None
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Supervisor Pearson informed the Board and Public about COG related news such as the potential sale of the sweeper and the Sheriff’s department offering services to municipalities.

**REPORTS, COMMUNICATION, MINUTES:**

√- Parks Commission    no mtg- Planning Commission    √- Recreation Board    √- Zoning/Building

**Adjournment:** Being nothing further before the Board, *motion by Gary Kuehner, seconded by William G. Schwab, to adjourn the meeting at 7:40 PM. MOTION CARRIED, Schwab, House, Strockoz, Kuehner, Pearson voting yes.*

Respectfully Submitted,



Jillyan A. Sterling  
Township Manager/Secretary/Treasurer