

Black Creek Township Supervisors Regular Meeting Minutes
Thursday, March 14th, 2024 @ 6:00 P.M.

The Regular Meeting of the Black Creek Township Supervisors, held on
Thursday, March 14th, 2024 @ 6:00 P.M.

Pledge of Allegiance

Attendance: Roll Call; Cheesman-Present; Yacowatz-Present; Feerrar-Present.

Public Comment on Agenda Items:

Mr. John Ross stated he wanted to comment and address about the end of the meeting speech from last month's meeting; however, it was brought to his attention that what he wanted to address was not an agenda item. Mr. Ross, then, apologized and no longer continued. Dr. Saura Rohrbach announced that she had a question about an agenda item. Under New Business agenda item number 2. She asked the Supervisors if they could elaborate in more detail about that agenda item. Supervisor Feerrar responded by stating that years ago we established a protocol, when he was with the Township before, with the Weston-Nuremburg Fire Co. that we donated \$1,500 for their General Fund every year. He stated that he saw last year it was not given and that he did not know why, but it was not important. Supervisor Feerrar stated that we would give them \$1,500 for their Fire Co. donation this year and the \$1,500 to cover last year's donation. Miss Rohrbach, then, pointed out asking if that is what the Supervisors meant by saying that the \$1,500 was never given and that it was not owed? Supervisor Feerrar followed in agreement that it was not money owed and that it was a donation from Black Creek Township. Solicitor Karpowich followed Supervisor Feerrar by saying that a donation is never money owed. Miss Rohrbach then asked if he read the agenda item in the way it is stated. He said he did not. Supervisor Cheesman read it aloud and stated that it should have just read it was never given instead. Miss Rohrbach continued by saying that she just wanted to make sure it was not money that was owed somewhere and was not paid. Supervisor Yacowatz stated that it was not intended that way, it was put on the agenda that way to make it known that it was missed. Miss Rohrbach exclaimed that there was not anything missed, it was not money owed. Supervisor Cheesman followed that by stating that it was made clear that there was no outstanding debt. It was a donation that used to be made, it was stopped and concluded that now the they are reinstating the donation.

Minutes:

The chairman will ask if there are any additions or corrections to the February 1st, 2024 special meeting minutes, February 8th Regular Meeting Minutes and February 15th special meeting minutes.

A *motion* by Supervisor Cheesman, seconded by Supervisor Feerrar, to approve the minutes of the February 1st Special Meeting, February 8th Regular Meeting, and February 15th, 2024 Special meeting.

Miss Rohrbach interjected by saying that she has a correction from the meeting minutes from the last meeting. Solicitor Karpowich responded by stating that they do not have a correction and if Miss Rohrbach has a correction that she wants to make known, to put it in writing and submit it to the Supervisors for review and they will decide if they want to change the minutes at the next meeting. She, then, asked why the Supervisors ask if there are any corrections to be made. Solicitor Karpowich explained that they did not ask her, and that they asked each other. He further explained that it is their minutes, it is their recollection of what occurred at the meeting and that if she feels there is something that needs to be changed, to submit it in writing and they will consider it at their next meeting.

All in favor: Yes.

Financial Report: February 1 st to February 29 th	Interest Rates	
Mid Penn General Fund:	\$80,965.62	1.00%
Fire Escrow Account:	\$3,499.21	1.00%
PLGIT Prime Savings:	\$360.42	PLGIT Yields
PLGIT Checking/Liquid Fuels:	\$177.34	Can Change On A Daily Basis
Total Checking/Savings:	\$85,002.59	
PLGIT Alumni Assoc.:	\$5,151.65	
Total:	\$90,154.24	

Supervisor Feerrar went over the financial report. He explained the Profit & Loss reports included in the meeting packets. One for January to March and one for February to March. He informed everyone that the Township's Liquid Fuels funds came in at the beginning of March.

A *motion* by Supervisor Cheesman, seconded by Supervisor Yacowatz, to approve the financial report.

All in favor: Yes.

Bills: Payment of bills, as presented.

A *motion* by Supervisor Cheesman, seconded by Supervisor Feerrar, to approve the bills as presented and to pay any and all bills in all funds that become due before the next regular meeting.

Roll Call Vote: Cheesman, Yes; Yacowatz, Yes; Feerrar, Yes.

Correspondence: None.

Reports:

Zoning Report: Zoning/Codes Officer, Ed Wenger sent a zoning report. Supervisor Yacowatz went over the Zoning report for February.

Fire Company: Fire Chief Joe Lescowitch reviewed the activity report.

Emergency Management: William Singley Jr. sent an EMC report. Supervisor Yacowatz reviewed the EMC report.

Roadmaster Report: Supervisor Cheesman reviewed the Roadmaster Report. Supervisor Cheesman then wanted to explain the incident with the dodge snow plow truck. He explained that Donnie Tombasco was plowing for the Township and around the hairpin turn on Hilltop, Mr. Tombasco had to pull over almost to a stop to allow Supervisor Cheesman's wife to pass by and when he did that, he had slipped off the side of the road most likely due to the bald tires on the truck. Supervisor Cheesman pointed out that Mr. Tombasco should have called Supervisor Cheesman right away. However, Mr. Tombasco tried to get out on his own at no success. Supervisor Cheesman stated that they called Chris Maylath and he came and towed the vehicle out at no expense to the Township and made a shout out to Mr. Maylath for doing so. Supervisor Cheesman made it clear that Mr. Tombasco was not speeding or doing anything crazy, he just simply moved aside for a resident to pass by and slipped off the road. He mentioned to everyone that if they wanted to take a drive on that road, the shoulders are pretty steep since being replaced. He concluded by saying that no action was taken with Donnie and that it was just an unfortunate little accident

Old Business:

1. Adoption of Ordinance amending the Black Creek Township Subdivision and Land Development Ordinance to abolish the Planning Commission.

A motion by Supervisor Yacowatz, Seconded by Supervisor Cheesman to approve the adoption of Ordinance abolishing the Planning Commission.

All in favor: Yes.

2. Adoption of Ordinance amending the Black Creek Township Subdivision and Land Development Ordinance to re-establish a three-person planning committee.

A motion by Supervisor Feerrar, Seconded by Supervisor Cheesman to approve the adoption of Ordinance amending the Black Creek Township subdivision and Land Development ordinance to re-establish the planning committee of three person.

All in favor: Yes.

3. Resolution appointing the following members to the Planning Committee:

A motion by Supervisor Feerrar, Seconded by Supervisor Yacowatz to appoint Jack Peak for a term ending December 31, 2027.

All in favor: Yes.

A motion by Supervisor Feerrar, Seconded by Supervisor Cheesman to appoint Judy Knelly for a term ending December 31, 2026.

All in favor: Yes.

A motion by Supervisor Feerrar, Seconded by Supervisor Yacowatz to appoint Josh Winters for a term ending December 31, 2025.
All in favor: Yes.

4. Adoption of Ordinance amending the Black Creek Township Zoning ordinance to reduce the number of members of the Black Creek Township Zoning Hearing Board from five to three.

A motion by Supervisor Feerrar, Seconded by Supervisor Cheesman to approve amend the Black Creek Township Zoning ordinance reducing the members of the zoning board from five to three.
All in favor: Yes.

5. Resolution appointing members to the Black Creek Township Zoning Hearing Board for the following terms:

A motion by Supervisor Feerrar, Seconded by Supervisor Cheesman to appoint John Sidari for a term ending December 31, 2026.
All in favor: Yes.

A motion by Supervisor Feerrar, Seconded by Supervisor Cheesman to appoint Zack Peak for a term ending December 31, 2025.
All in favor: Yes.

A motion by Supervisor Feerrar, Seconded by Supervisor Cheesman to appoint Jason Zola for a term ending December 31, 2024.
All in favor: Yes.

Supervisor Yacowatz inquired if they should choose their alternates at this point? Solicitor Karpowich recommended that the Supervisors choose their Alternates at next month's meeting since they will need to do it by resolution.

New Business:

1. Creation and Use of a Township Facebook Page

A motion by Supervisor Cheesman, Seconded by Supervisor Feerrar to approve the creation and use of a Township Facebook page named **Black Creek Township – Rock Glen**, as a means to better communicate with the residents of Black Creek Township.
All in favor: Yes.

2. Funds donation to Nuremburg-Weston Fire Co.

A *motion* by Supervisor Feerrar, *seconded* by Supervisor Yacowatz to approve the donation of \$3,000 to the Nuremburg-Weston Fire Co. \$1,500 of it is for 2023 money never given by prior administration and the other \$1,500 is for 2024.
All in favor: Yes.

3. Promote Jennifer Hall from Part-Time Secretary to Full Time Secretary

A motion by Supervisor Feerrar, seconded by Supervisor Yacowatz to approve promoting Jennifer Hall from part-time to full time.

All in favor: Yes.

4. Accept Resignation from Josh Winters from Twin County Joint Municipal Authority

A *motion* by Supervisor Feerrar, *seconded* by Supervisor Yacowatz to accept the resignation of Josh Winters from the Twin County Joint Municipal Authority.

All in favor: Yes.

5. Appointment of Twin County Joint Municipal Authority Member

A *motion* by Supervisor Feerrar, *seconded* by Supervisor Yacowatz to approve appointing Vanessa Cook to the Twin County Joint Municipal Authority.

All in favor: Yes.

6. Disposing of Old Files

A *motion* by Supervisor Cheesman, *seconded* by Supervisor Feerrar, to approve disposing of old files that exceeded their retention time.

All in favor: Yes.

7. Adopt Resolution to Request a Greenways, Trails & Recreation Program Grant to be used for renovations to the Township Swimming Pool.

A *motion* by Supervisor Feerrar, *seconded* by Supervisor Cheesman, to approve the adoption of a resolution to request a Greenways, Trails & Recreation Program grant from the Commonwealth Financing Authority in the amount of \$125,000.00.

All in favor: Yes.

8. Swilp Subdivision

A *motion* by Supervisor Cheesman, *Seconded* by Supervisor Feerrar, for the Swilp Subdivision to be brought in front of the Planning Committee for formal review.

All in favor: Yes. Solicitor Karpowich clarified with the Supervisors that the 90-day clock for the Planning Committee to have a meeting and review the plans and accept the plans starts now.

9. Selling Blaw-Knox Asphalt Paver on Municibid

A motion by Supervisor Cheesman, seconded by Supervisor Feerrar, to approve the selling of the Blaw-Knox Asphalt Paver on Municibid for \$12,000.

All in favor: Yes.

10. Advertise Bids to award annual Emergency manpower & equipment contract

A motion by Supervisor Feerrar, seconded by Supervisor Cheesman, to approve the advertising of bids for an annual contract for emergency manpower & equipment.

All in favor: Yes.

***Review Public Comment** from last meeting.

Public Comment: There is a 5-minute time limit. Please state your name and address.

Supervisor Yacowatz asked if there was any public comment. Before he finished with that, Supervisor Feerrar wanted to explain that the Recycling Center is now re-open and there are cards on the table and the hours of operation are Monday through Friday 6:30AM to 4:30PM. He went on to explain that we currently take tin cans, cardboard, scrap metal; anything but refrigerators. In the future the Supervisors will look at taking other things. He concluded by stating that this is at no cost to the Township to do this. Supervisor Cheesman wanted to also point out about the Food Pantry bins. He stated that going forward that if anyone wants to donate anything there will be a bin in by the front door, and if anyone wants to save a trip, they can bring anything they have with them to the meeting and drop it off in the bin in the meeting room. Supervisor Yacowatz told everyone the items that could be dropped off. Everything from non-perishable food items, to paper towels, to dish soap. Supervisor Cheesman asked if anyone else had any other questions. Mr. Bob Stochel had a question about Old Business Agenda Item #4. He stated he does not understand how that could be an old business item and where the Township is getting their guidance on how can they fire members from their terms and hire 3 new members. Solicitor Karpowich responded by stating that in the MPC book, it allows them to go from a 5-member board to a 3-member board, and from a 3-member board to a 5-member board and it also allows it in the zoning ordinance because the zoning ordinance provision was taken out of the MPC. He further explained that if they were to go from a 3-member board to a 5-member board, the MPC states that they would have to keep those 3 members and add 2 new members. However, it also states if they were to go from a 5-member board to a 3-member board, like in this case, they do not have to keep those same members on it. Mr. Stochel asked, to be sure, where Solicitor Karpowich had gotten that information and the Solicitor explained it was the MPC. Mr. Stochel continued by stating that he was in contact with the state and he is waiting to hear back from them on Monday. Solicitor Karpowich was encouraging about it and told Mr. Stochel that if he can stick around after the meeting, he can show him where he pulled that information from and he can inform the state about it. Mr. Stochel explained that he was the Chairman for the Zoning Hearing Board and stated that his understanding was that they were on their terms and that they could be replaced as their terms are up. Solicitor Karpowich asked if he put a letter of interest in staying on the board into the Supervisors. Mr. Stochel stated he was not asked. Solicitor Karpowich followed by asking if he asked the Supervisors. Mr. Stochel responded that he assumed that if they were interested in keeping him on the board that they would contact him. Solicitor Karpowich stated that he should not have assumed and that he should have submitted a letter of interest in staying on the Board since it was announced at last month's meeting. Mr. Stochel mentioned that it is almost like the argument made last month about the old regime not giving guidance to the new regime. Solicitor Karpowich stated that he was not going to get into that with Mr. Stochel. Mr. Stochel stated that they already knew he was and that he was on that hearing board. Supervisor Yacowatz interjected by saying that he does not know him, and that if Mr. Stochel had concerns that he should have called them. Mr. Stochel said that he did not know any of their names. Solicitor Karpowich then mentioned that before

the Supervisors appointed people when they asked if there was any public comment on agenda items he could have stood up and addressed your issue with that agenda item and that you were interested in continuing to serve. Mr. Stochel was under the impression that the public comment on agenda items was only for New Business items not old business. Solicitor Karpowich informed him that it is for all agenda items, both Old and New and Public comment at the end of the meeting is for anything not on the agenda. Mr. Stochel was confused as to how that was an Old Business item and said it is the first, he was hearing about it. Solicitor Karpowich inquired to Mr. Stochel if he was at last months meeting and he said he was, but does not remember it being brought up there. Solicitor Karpowich answered by saying that it was written up last month for the meeting and that the Supervisors had him advertise for this hearing to bring on the new members. He continued stating that there was a lot of excitement at the last meeting. He explained that last month motions were made for change to take place and it all was voted on, and it was, then, advertised. Supervisor Yacowatz pointed out the agenda item on the meeting minutes from last month and verified if Mr. Stochel was at the meeting. Mr. Stochel said he was, but he does not recall seeing that. Solicitor Karpowich reiterated the board member hiring and firing process and said that it mentions it in our ordinance. Mr. Stochel refuted that saying it does not. Solicitor Karpowich said that it does and that it was amended. Mr. Stochel asked when and Solicitor Karpowich said tonight. Mr. Stochel found it convenient. Solicitor Karpowich informed him that it is mentioned in the Township ordinance and that he would show him after the meeting. Mr. Stochel said thank you. The Supervisors asked if anyone else had any other comments. Mr. Robert Schoppe from Mountain Grove had a question regarding reimbursements to Supervisor Cheesman. Supervisor Cheesman explained that they did not have their business bank cards yet for the Township when they first came on and had to wait, and in order to make needed purchases for the Township he paid for everything out of his own pocket and the Township reimbursed him for those items purchased. He further explained that all the receipts are here filed in the office and now that they have access to the Mid Penn Township bank account, that will no longer be happening that way and has stopped. He clarified that he spent his personal money to keep the place going and the Township just reimbursed him for those expenses, and that all documentation is here in the building if anyone wants to submit a request to see them. A gentleman named Carl had a comment thanking the Supervisors for keeping the Food Pantry on the agendas and that he is proud of who he works with in the Food Pantry and mentioned where they get the food from and that they get pallets of food from Wal-Mart. He loves serving the Black Creek Township and is very appreciative of the help from the Supervisors. Supervisor Yacowatz thanked him for his hours that he puts in and everyone gave a round of applause. John Ross made a comment about the issues brought up at the last meeting about him quitting without giving a two-week notice. He told the Supervisors that he heard that as soon as the Supervisors were going to get all the knowledge out of him, that they were going to fire him. Supervisor Yacowatz asked who said that. John Ross responded saying the Supervisor Yacowatz did. Supervisor Yacowatz stated that he did not, absolutely not and stated that he called John Ross after he helped them during the 1st snow storm of the year and personally thanked him and asked Mr. Ross if he remembers that. Mr. Ross said that he does. Supervisor Yacowatz exclaimed that there is no way he would have said something like that and that is the end of it, next. Supervisor Cheesman asked if there is anyone else with a comment about anything. Solicitor Karpowich said that if everyone can talk without yelling, that would be wonderful. A constable

escorted Mr. Ross out to talk to him and Saura Rohrbach wanted to finish commenting on what Mr. Ross started. Supervisor Cheesman asked her name and address. Miss Rohrbach stated her name and address and continued with stating that the garage was kept neat and clean and they took pictures before her term officially ended and she stated she would pass them around if anyone wanted to look at them. Supervisor Yacowatz stated that a swept floor does not mean much about anything else. Miss Rohrbach asked to let her speak and continued to say that the garage was neatly kept. She pointed out that the Supervisors complained about barrels at the last meeting and she stated that there were only 2 barrels kept against the wall in a neat row that they used for waste oil and other things and if the Supervisors did not like them, they could have just tossed them. Miss Rohrbach continued stating that the Supervisors said at the last meeting about not having safety glasses and that there were safety glasses in the filing cabinet in the garage, there were plenty of tools and supplies, there were more than enough to complete any job in house and that there was a box of grease that she circled in the pictures in the back room. She stated that they were not out of grease like the Supervisors claimed. Miss Rohrbach went onto talk about the Salt/Anti-Skid mix by stating that the same mix has been used by the past few administrations, which would be about a decade and that the only time there was an issue with snow melt was in January of 2024. She continued to point out that none of the new Supervisors asked for a transition and that she was going to give them one, however, she heard through multiple people that the new Supervisors did not want any advice from her. Supervisor Yacowatz stated that it was all just hearsay. Miss Rohrbach directly asked Supervisor Yacowatz if he asked for a transition. Supervisor Yacowatz pointed out that when he came to the office to drop off paperwork on December 29th, that he noticed that Miss Rohrbach saw him there and walked away and did not even acknowledge him being there. She claimed that he could have called her back. Supervisor Yacowatz asked her if she offered to do a transition. She asked why would she. Supervisor Yacowatz then asked why she would not. Miss Rohrbach stated that it was not her place because she is not his mother. Supervisor Yacowatz informed her to grow up and Supervisor Feerrar let her know that her five minutes were up. She exclaimed that they were not, that she was monitoring them herself and she knew when her time was up. Supervisor Feerrar informed her that he knew when her time was up too, he was watching it on the clock and that her time was up. Miss Rohrbach exclaimed that she was at 3 minutes then continued to comment about when Supervisor Yacowatz made his comments near the end of the last month's meeting. She said that he did not allow for public comment on those items he addressed at the last meeting and that he needed to open the floor back up for public comment. Then, continued to point out that the issue that Mr. Stochel had a problem with was that the past administration would hold a hearing at the start of the meeting and it would happen after they opened the meeting, and said that the solicitor would do something, however, Miss Rohrbach was distracted by random conversation between other residents at the meeting and asked if she can please talk. Supervisor Feerrar pointed out that other people can talk. Miss Rohrbach continued to ask why there was no hearing for the changes that took place. Solicitor Karpowich informed the Supervisors to make a motion to adjourn the meeting whilst Miss Rohrbach was inquiring about why there was not a hearing. Solicitor Karpowich stated that there was a hearing in that it was an agenda item, people could make a comment on the agenda item and nobody wanted to make a comment on the agenda item and they voted on it. Miss Rohrbach then pushed the question as to where the hearing was, to which Solicitor Karpowich stated that he was not going to argue over semantics.

Miss Rohrbach replied saying that it is not semantics. Solicitor Karpowich interjected stating that the bottom line is that the Sunshine Act requires that people can make a comment on agenda items before they are voted on, to which it happened that way. Miss Rohrbach exclaimed that they completely changed the way it was ever done, which is why they did not ask in the beginning and that was very confusing. Solicitor Karpowich responded by saying that it is not a question and answer and that if she wanted to make a comment to make a comment. During that statement from Solicitor Karpowich, Black Creek Township resident named Cinnamon from 859 Cinnamon Lane interjected with a comment. She announced that there is going to be an Earth Day clean up, to which everyone will be meeting here at the Township office on April 21st and clean up the neighborhood at 10AM. They will also be making flyers for everyone to join in and that it is going to be a great event to bring the community together. Supervisor Yacowatz asked about refreshments for afterwards. Cinnamon confirmed that afterwards that they will be going to the Towers for food and beverages and that more information will be posted on the Facebook page about it as well. Supervisor Cheesman finished up by letting everyone know that if there was anyone interested in helping Cinnamon out with the Recreation that they can stick around after the meeting and exchange numbers with her. He also said that there are a lot of good ideas coming and Supervisor Yacowatz agreed and said that it is going to be a good year.

The next regular monthly meeting will take place on Thursday April 11th at 6:00PM

Adjournment: A *motion* by Supervisor Cheesman, seconded by Supervisor Yacowatz, to adjourn the meeting at 6:42P.M. All in favor.

All reports and correspondence covered during this regular meeting are available for review at the front table. If you would like a copy, one can be provided after the conclusion of the meeting.