

The regular meeting of the Adams Township Board of Supervisors was held on December 11, 2023 at 7:00 P.M. at the Adams Township Municipal Building, 690 Valencia Road, Adams Township, Mars, PA. 16046

Present at the meeting were Supervisors Russell R. Ford, Ronald J. Shemela, Edward L. Vogel, Ronald G. Nacey, and Darryl M. Brandon; Solicitor Michael Gallagher, Township Manager Gary Peaco, Township Engineer Richard W. Craft, P.E., Chief of Police Shawn Anglum, Park Director Brian Perry, Code Officer Mike Knox, Assistant Code Officer Joe Julian, and Code Secretary Suzanne Hanovick.

Chairman Ford called the meeting to order at 7:04 P.M. with the Pledge of Allegiance.

Mr. Russell Ford announced Mr. Vogel's retirement. He was presented with a plaque renaming the Adams Township Park Schoolhouse to Edward L. Vogel Sr. and thanked him for his forty-one years of service.

#### Public Comment

George Cudoc who lives at 1387 Three Degree Road stated he had a few comments on the Livestock Ordinance. Mr. Russell Ford asked if he could please wait until the public comment at the end. Richard Rapp asked to be sworn in because he lives in Mars Borough. Mr. Russell Ford stated they only Adams Township residents will be heard. Mr. Rapp stated it is his right as a citizen to be allowed to comment. Mr. Russell Ford said he would defer this to the solicitor. Mr. Mike Gallagher stated he has no problem.

Jennifer Bainbridge, who is with Mars Public Library wanted to say thank you to Adams Township for their generous donation. Mrs. Bainbridge spoke about the new card members and that it has increased 134 percent in 2023. She stated that she is looking forward to seeing everyone more in the future.

#### APPROVAL OF MINUTES

On a motion by Ronald J. Shemela and seconded by Ronald G. Nacey, the minutes of the meeting of November 27, 2023, were approved. All were in favor.

On a motion by Darryl M. Brandon and seconded by Edward L. Vogel, the minutes of the meeting of November 30, 2023, were approved. All were in favor.

#### PUBLIC WORKS REPORT

Mr. Ronald Shemela thanked the Public Works Department.

On a motion by Ronald J. Shemela and seconded by Ronald G. Nacey, the Public Works Department Report for November was approved. All were in favor.

#### CODE ENFORCEMENT REPORT

On a motion by Ronald G. Nacey and seconded by Edward L. Vogel, the Code Enforcement Report for November was approved. All were in favor.

#### ENGINEER'S REPORT

On a motion by Ronald G. Nacey and seconded by Edward L. Vogel, the Engineer's Report for November was approved. All were in favor.

### **SOLICITOR'S REPORT**

On a motion by Edward L. Vogel and seconded by Ronald G. Nacey, the Solicitor's Report for November was approved. All were in favor.

### **ANIMAL CONTROL OFFICER'S REPORT**

On a motion by Darryl M. Brandon and seconded by Edward L. Vogel, the Animal Control Officer's Report for November was approved. All were in favor.

### **POLICE REPORT**

On a motion by Ronald J. Shemela and seconded by Ronald G. Nacey, the Police Report for November was approved. All were in favor.

### **PARK AND RECREATION REPORT**

Mr. Brian Perry spoke about light up night on December 1, 2023. He said the celebration included light-up night in the park and fireworks. He thanked Quality Emergency Services, Adams Fire and Callery Fire Department. Mr. Perry stated that the Park and Recreation Department partnered with Toys for Tots. He thanked Russell Standard and Mars Bank for their contributions.

On a motion by Edward L. Vogel and seconded by Ronald G. Nacey, the Park and Recreation Report for November was approved. All were in favor.

### **FIRE DEPARTMENT REPORT**

On a motion by Edward L. Vogel and seconded by Darryl M. Brandon, the Adams Area Fire District Report for November was tabled. All were in favor.

The Callery Fire Report was presented.

### **EMC Report**

On a motion by Ronald J. Shemela and seconded by Edward L. Vogel, the EMC Report for November was approved. All were in favor.

### **EMS Report**

On a motion by Edward L. Vogel and seconded by Ronald G. Nacey, the EMS Report for November was approved. All were in favor.

### **TREASURER'S REPORT**

#### **Report and Payment of Invoices**

On a motion by Ronald G. Nacey and seconded by Edward L. Vogel, the Treasurer's Report for November was approved, and approval was given to pay bills totaling \$1,839,679.08.

All were in favor.

#### **Transfer of Funds**

On a motion by Ronald G. Nacey and seconded by Edward L. Vogel, the transfers were approved. All were in favor.

### **PLAN REVIEW**

Ira E. Baumgartel Plan of Lots, Preliminary and Final Approval

Ira E. Baumgartel was present to represent Baumgartel Plan of Lots. He explained it is a simple subdivision of 5.5 acres and 1.5 acres will be divided off to sell. He stated the Planning Commission has approved his plan. Mr. Russell Ford asked Rich Craft and Mike Knox if everything had been satisfied. They both agreed everything has been satisfied.

On a motion by Darryl M. Brandon and seconded by Edward L. Vogel, the Baumgartel Plan was given preliminary, and final was approval. All were in favor.

**OLD BUSINESS**

Public/Private Road Ordinance Public Hearing Date

On a motion by Ronald J. Shemela and seconded by Darryl M. Brandon, the Public Road Ordinance was tabled. All were in favor.

**NEW BUSINESS**

Sunrise Acres Performance Security Release

On a motion by Ronald J. Shemela and seconded by Edward L. Vogel, Sunrise Acres Performance Security Release was approved in the amount of \$285,180.72. All were in favor.

Amherst Village Phase 5 Bond Reduction No.1

On a motion by Darryl M. Brandon and seconded by Edward L. Vogel, Amherst Village Phase 5 Performance Security Release was approved in the amount of \$1,847,101.01. All were in favor.

Fee Schedule Resolution No. 2023-24

On a motion by Ronald J. Shemela and seconded by Edward L. Vogel, the Fee Schedule was tabled. All were in favor.

Quality EMS Service Agreement

Conrad Pfeifer from Quality EMS thanked the Township for their contribution of \$125,000.00 for 2024. He stated this will make it easier to retain first responders by increasing their wages. He also thanked the responders for their dedication to working long hours, holidays, and weekends. Mr. Russell Ford stated there is an agreement in place with Adams Township and Quality EMS for 2024. He said the agreement will be on the Township website. He asked Mr. Pfeifer to contact the adjoining Townships for contributions and meet quarterly with Adams Township.

On a motion by Edward L. Vogel and seconded by Ronald J. Shemela, the Service Agreement for 2024 in the amount of \$125,000.00 was approved.

All were in favor.

Multimodal Transportation Fund Grant Resolution No. 2023-25

On a motion by Edward L. Vogel and seconded by Ronald J. Shemela, Resolution No. 2023-25 was approved to apply for a Multimodal Transportation Fund Grant in the amount of \$617,780.84.

All were in favor.

Ratify PennDOT Three Degree Road Agreement

PennDOT Three Degree Road turnback was amended to revise the agreement which includes additional funding of \$2,551,485.43.

On a motion by Ronald J. Shemela and seconded by Edward L. Vogel, the agreement was approved. All were in favor.

An Ordinance Prohibiting Owners or Agents of Animals from the Animals Becoming a Public Nuisance – Ordinance No. 2023-182

**PUBLIC COMMENT**

Mr. Russ Ford asked for the first Public Comment that everyone has been waiting for.

Mr. Tim Stack lives at 240 Forsythe Road stated he does not support the ordinance and accused the Township of trying to sneak through.

Daisy Snow lives at 1030 Mars Evans City Road. She said she is heavily involved with livestock and raising livestock. Ms. Snow explained how important farming is as they rely on their animals.

Rob Crouthamel lives at 139 Pearce Road and stated he is a part-time farmer, and this ordinance is ineffective and unnecessary, and you should each vote no tonight. Mr. Crouthamel said he fears this will cause harm to the farmers. If Livestock needs to be removed it needs to be done in a humane way. He said there is a Pennsylvania Law that exists, and the Township needs to follow the trespassing law. Mr. Crouthamel voiced, do not pass this ordinance, and do not table it. He told the Board of Supervisors they need to vote no.

Mary Snow lives at 1030 Mars Evans City Road and had concerns regarding taking away the rights and responsibility of a farmer. She said to take care of the residents and not to make this into a financial gain.

George Cudoc lives at 1387 Three Degree Road stated with the ordinance that is proposed they are forgetting why people have livestock and the sheer love for animals. He said livestock provides food, livelihood, and fun.

Jay Henderson lives at 139 Huch Road and said he understands cows running through neighborhoods but passing this ordinance would cause more problems and it is not necessary.

John Cashdollar Jr. lives 259 Union Church Road stated his family has owned a farm since 1872. He stated he knows the farmer and he doesn't take care of his cows. He said there are laws in place on how to handle this and the ordinance is not needed.

Megan stated it is a shame that neighbors can't help, everyone has personal liability, and a new municipal law is not the answer.

Sharon Weigle lives at 120 David Lane and stated she has cows, dogs, horses and cats. She explained that fences break animals get out. She said there are remedies such as routine checks of the fencing and there are no guarantees, have your neighbors call if they were to see a loose animal. There are current laws in effect.

Donna Pahel lives at 107 Abigail Drive stated there is thousands of dollars' worth of damage in her yard caused by the cows. Ms. Pahel said after listening to everyone she has empathy for both sides. She was told to sue the farmer and said farmers are very important. Ms. Pahel said creating a new ordinance will not help the situation.

Colin Zedrick lives at 544 Valencia Road stated the ordinance should not be passed due to one person. This would impact everyone. He said there needs to be a resolution to help out and he would like to be a part of the solution.

Larry Baumgartel lives at 1564 Three Degree Road thanked Mr. Ron Nacey and Rob Crouthamel for trying to stop the ordinance and having it tabled at the last meeting. He said most farmers had no idea what was going on. He said the farmer does have a problem and all the other farmers should not be blamed. Mr. Baumgartel said Chris Kaclik has tried to help by rounding up the cows,

repairing the fence and putting gates up. He said Ed Kuhl also tried to get the cows in. He said letters should be sent to all farmers if there is a problem in the future.

Robert McChesney lives at 1429 Three Degree Road and suggested farmers get together and put a committee in place to address issues.

Tim Meyers lives at 240 Union Church Road there are more people against this ordinance and should not be passed.

Jim Halstead is from Clinton Township. He stated he represents Butler City Farm Bureau and would like to help.

Richard Rapp worked with all animals growing up. He suggested reaching out to Mars Agway to help.

Julia Ow talked about the stray cats in the ordinance. Wants more specifics.

Mr. Russell Ford stated for the record he appreciates everyone's concerns, commitment, and your voices. He said not one Board member is not farm friendly and we are not here to railroad anyone.

Mr. Russell Ford said that public safety is top priority and hopes everyone understands how and why this came about. He stated there is a why and there is an intent.

He said the Board will take a ten-minute recess. The Board adjourned to the back room.

Mr. Russell Ford asked for an individual roll call vote.

Darryl M. Brandon voted no. He stated that every resident has the right to enjoy their property.

Russell R. Ford voted no. He stated it's important to protect everyone and he didn't realize how much passion there was.

Ronald G. Nacey voted no.

Ronald J. Shemela voted no. He stated that he appreciated everyone's comments and wishes there was a better way to solve this.

Edward L. Vogel voted no. He stated that he grew up on a dairy farm and knows all about cows.

Mr. Russell R. Ford declared five no votes, Ordinance No. 2023-182 was denied.

Mr. Russell Ford thanked Mr. Edward Vogel for his 41 years of service.

### **ADJOURNMENT**

On a motion by Darryl M. Brandon and seconded by Edward L. Vogel, the meeting adjourned at 8:35 P.M.

All were in favor.

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Suzanne Hanovick Code Secretary