

**Halifax Township  
Board of Supervisors Meeting  
April 11, 2011**

**CALL TO ORDER:** Chairman Bechtel called the meeting to order at 7:05 p.m. followed with the Pledge of Allegiance.

**ROLL CALL:** Supervisors Bechtel, Stopfel, Eppley and Hoover are present. Supervisor Shultz is absent. Solicitor Bruce Warshawsky, Engineer Tom Wilson, Roadmaster Dale Shoop and Secretary Carolyn Nye are present.

**EXECUTIVE SESSION:** Chairman Bechtel announced an executive session was held from 5:53 p.m. to 6:55 p.m. regarding litigation and personnel matters.

**PUBLIC COMMENT:** **Patricia Powley** voiced her complaint regarding the driveway needing repair at Deppen Park leading to the recycle bins. Dale stated he talked to the Borough and they are looking into it. **Jim Bell** commended the road crew on the excellent job they have done. **Melinda Warfel** commented on Elizabethtown Library holding a Chinese auction. **Christian Dagher** defers. **John Latsha** defers. **Larry Rank** defers. **Flo Mallonee** expressed her disappointment regarding the trees that were taken down at the park property. **Norma Shearer** asked about Lenker Estates regarding the Quail Commons and is the financial security in place. Tom Wilson stated Phase I and II are covered. Norma also stated she and Dan would be willing to donate up to \$500.00 to put a pole gate in at the park on the east side of 147 leading down to the creek. **Jerry Kissinger** voiced a complaint regarding the trees that were taken down. Chairman Bechtel explained the process that led up to taking the trees down. Jerry also complained about his neighbor violating the nuisance ordinance because of having a deteriorated building on his property and overgrown weeds. Dale was instructed to look into this.

**SECRETARY REPORT: Minutes of March 14, 2011** - Supervisor Hoover made a motion to approve the minutes of March 14, 2011 as written, seconded by Supervisor Eppley, vote called, motion carried 4-0.

**TREASURER REPORT:** Supervisor Stopfel questioned the fuel bill which is for equipment and trucks. She stated that she will not be attending the grant writing session at the PSATS Convention and stated she notified PSATS and they will be reimbursing the Township \$100.00. **Interim Bills - Motion** – Supervisor Hoover made a motion to approve the Interim bills, seconded by Supervisor Stopfel, vote called, motion carried 4-0.

**Unpaid Bills** – Supervisor Hoover made a motion to pay the April bills, seconded by Supervisor Stopfel, vote called, motion carried 4-0.

**Financial Report** – Supervisor Stopfel asked for an explanation on the line item business licenses and permits and what does the unused and uncollected item mean. Chairman Bechtel stated this is the budgeted amount that is not met.

**PLANNING COMMISSION REPORT:** Fred Ford reported on the April meeting. Fred stated the Planning Commission made a motion to recommend a committee to go over the Recreation Plan. **Motion** – Supervisor Hoover made a motion to appoint Mark Reed, Flo Mallonee and Donna Rode as committee members, seconded by Supervisor Eppley, vote called, motion carried 4-0.

**Christian Dagher** – Mr. Dagher is an attorney from the Etzweiler and Associates firm representing the Sewer Authority. Mr. Dagher explained the mandate by the Federal Government and PA DEP requiring

## **Halifax Township Board of Supervisors Meeting April 11, 2011**

the Authority to build a bigger chlorination system. Mr. Dagher is asking for a modification to the Township's Land Development Plan. Tom Wilson stated he is not in opposition to this request. The Township is requesting an As-Built-Plan from the Authority once the project is complete. Tom stated there are review fees associated with the review of this plan and the Authority would have to reimburse the Township for these. **Motion** – Supervisor Stopfel made a motion to approve the exemption as requested, seconded by Supervisor Hoover, under discussion the Solicitor added that the motion should reflect the reasons for the exemption as set forth in the Glace letter of April 7, 2011, there are issues with a precedence being set, an agreement or so assumed by the Authority to provide the as-built-plan and pay for the engineer review fees as necessary. Supervisor Stopfel moved to amend her motion to reflect the Solicitors's statement, seconded by Supervisor Hoover, vote called, motion carried 4-0.

**ENGINEER REPORT:** Tom read from his report of March 31, 2011. He reported on the Matamoras Subdivision Plan financial security request and stated the modifications should require an increase of the Financial Security. The Plan construction is not complete. **Motion** – Supervisor Hoover made a motion that the request is being denied, seconded by Supervisor Stopfel, vote called, motion carried 4-0. The Solicitor will draft the letter to Mr. Jorich.

**Halifax Ambulance** – Tom did a site inspection and produced a report to the Township to reduce the financial security amount but maintain an amount to cover the outstanding issue regarding signs that need to be placed. **Motion** – Supervisor Eppley made a motion to reduce the financial security per Tom's recommendation, seconded by Supervisor Stopfel, vote called, motion carried 4-0.

**SOLICITOR REPORT:** The Solicitor referred to his report dated April 8, 2011. **Harman Stove Subdivision Plan** - There is no request to reduce the Bond but a request was made by email on the process to reduce the Bond. When a request is made to reduce the bond the Solicitor and Engineer will review that request. **Linda Stopfel Litigation** – Tony Sherr is lead counsel in this matter. Preliminary objections are filed with the court. It is now in the process of being resolved by the court. The Lenker/DONCO agreement has a requirement to indemnify the Township for any and all expenses the Township incurs. The Solicitor feels it is important that the issue of Linda's recusal is discussed. Linda will seek advice from her counsel and report to the Board. **Outstanding fees owed to the Township by Mr. Nightwine and Mr. Bistline** – the Secretary reported Mr. Bistline came into the Township office a couple of weeks ago and conveyed that he was willing to pay the outstanding amount but wanted to talk to his engineer first. She has not heard from him since that visit. Regarding Mr. Nightwine, he visited the Township office and reported he would be paying the outstanding amount but was very upset that he was charged this fee. Efforts are being made to recover these fees. **Ft. Halifax Park** – Damage estimate and repair was \$460.00 and will be paid by Nationwide Insurance. Work will be done by Jim Long. Supervisor Stopfel asks what does the repair include. Chairman Bechtel stated the low estimate was his estimate which included loosening the soil, working it down in a proper manner to get it firm and level, applying a sizable amount of seed (2-50lb bags of seed) which makes a pretty heavy seeding rate more than what was originally established and also fertilizer and oats as a nurse crop to help stabilize the soil quicker until the grasses are able to take over. **Motion** – Supervisor Hoover made a motion to execute the Release and proceed with repairs, seconded by Supervisor Eppley, under discussion Supervisor Eppley asks if the Release has any conditions, the Solicitor stated other than the fact that it releases the driver of the one vehicle completely and the Township cannot go against them civilly, if there is any criminal prosecution, it is out of the Township's control, vote called, motion carried 4-0. **Right-To-Know Appeal** – Norma Shearer appealed to the Office of Open Records to obtain the electronic mail for executive session which was conducted to discuss the replacement of the secretary/treasurer in the township. The opinion was provided to the Board along with a memorandum provided by the Solicitor and his recommendation is to not appeal the decision and comply with the decision made by the Office of Open

## Halifax Township Board of Supervisors Meeting April 11, 2011

Records. **Motion** – Supervisor Hoover made a motion to comply with the decision made by the Office of Open Records, seconded by Supervisor Stopfel, vote called, motion carried 4-0. **Sewer Extension Accu Mold Resolution Motion** – Supervisor Eppley made a motion to waive the reading of the resolution, seconded by Supervisor Stopfel, vote called, motion carried 4-0. **Motion to Adopt the Resolution** – Supervisor Eppley made a motion to adopt resolution #11- 6-2011, seconded by Supervisor Stopfel, vote called, motion carried 4-0. **Right -To-Know Fees Resolution** – the Solicitor stated a fee should be established when certifying a record to be a public record and a cost set for hard copies. The Solicitor read resolution # 11-7-2011 which references a fee schedule and his suggestion is to adopt the fee schedule but adopt a number for the cost per page. **Motion** – Supervisor Hoover made a motion to adopt the resolution reflecting \$5 for certification and \$.10 a page for hard copies, seconded by Supervisor Eppley, Supervisor Eppley asks for clarification on the copying cost, the Solicitor stated the ten cents is reflecting the cost per page, vote called, motion carried 4-0. **Sheetz Relocation** and meeting which was held on April 4<sup>th</sup> was already discussed by the Engineer. A representative from Sheetz is still interested in presenting a sketch plan in May.

**ROADMASTER REPORT: Spring Cleanup** is scheduled for May 13 and 14. Will be taking tires at \$2/tire. **Dumpster Request** – Nancy Matter requested a dumpster at her property. The Board made no decision on this issue. **1994 Chevy Truck** – Supervisor Shultz asked Dale to get a price on a new pickup truck. The '94 truck has nearly 100,000 miles on it; inspection is due in September but it cannot be inspected again. Dale got prices from two different GMC dealers, one for \$40,806.00 and one for \$37,460.00. The Board will digest this and revisit at another time. **Wood at Park – Motion** – Supervisor Eppley made a motion for Dale to get bids on saw logs and highest bidder takes them, seconded by Supervisor Stopfel, under discussion Chairman Bechtel stated he thinks the motion should reflect the money received should go into the Ft. Halifax Account, Supervisor Eppley motioned to agree, seconded by Supervisor Stopfel, vote called, Supervisor Hoover opposed, motion carried 3-1. **Fire Wood** – Discussion followed with various ideas on how to get rid of the firewood. Chairman Bechtel stated Supervisor Shultz has an interest in the white pine trees. **Motion** – Supervisor Eppley made a motion to get three bids on everything and then evaluate the motion for the saw logs and the bids for everything, seconded by Supervisor Stopfel, vote called, Supervisor Hoover voted nay, motion carried 3-1. **Liquid Fuels** – Chairman Bechtel noted as a point of interest the Liquid Fuel appropriation will be \$127,480.98 for 2011.

**SEO REPORT:** The SEO report was not received in time for distribution.

**EMC Charlie Bisking** – Chairman Bechtel moved this item from New Business. The Solicitor noted the resolution for the Emergency Operation Plan (EOP) is ready for adoption. **Motion to Waive Reading of Resolution #10-8-2011** – Supervisor Stopfel made a motion to waive the reading of the resolution, seconded by Supervisor Eppley, vote called, motion carried 4-0. **Motion to Adopt Resolution #10-8-2011** – Supervisor Eppley made a motion to adopt the resolution, seconded by Supervisor Stopfel, vote called, motion carried 4-0. Charlie Bisking pointed out there is a need for new EMC deputies. **Motion** – Supervisor Hoover made a motion to appoint Tim Lighter and Brad Bruner as EMC deputies, seconded by Supervisor Eppley, under discussion Supervisor Stopfel asks if the new Roadmaster would automatically be a deputy, Charlie stated that if and when there is a disaster, the Supervisors and the Roadmaster will be involved in addition to the deputies, vote called, motion carried 4-0.

**Larson Design – Bonnie Mahoney** – Chairman Bechtel moved this item from Old Business and will be setting up the phone for conference with Gary Shultz. Bonnie Mahoney spoke about aspects of the

## Halifax Township Board of Supervisors Meeting April 11, 2011

Master Site Plan. There will be a public meeting held at the Halifax High School cafeteria May 12 at 7:00 p.m. to go over the plan. Bonnie went over the plan recently presented to the Board. She indicated the Master Site Plan should reach its completion by the end of September 2011. Aspects of the park along with funding and development was discussed. Alice Trowbridge spoke about her involvement in talking to potential partners who could fund the different aspects of the development of the park including using gaming money. She spoke about a long term crossing over the railroad tracks for pedestrians, maintenance vehicles and emergency vehicles. Alice feels that the Township now needs to be more involved via a workshop. She mentioned the template provided to the Board which involves a management structure for the park.

**ADMINISTRATIVE: Audit** – Brad Bruner one of the elected auditors read the auditors’ recommendations. **New Picnic Tables at Park** – The Board commended the Boy Scouts regarding the new tables that were constructed for the park. Supervisor Stopfel stated she will be putting a press release in the Sentinel pertaining to this and will supply the Township with the addresses of the scouts so that a letter can be sent to commend them on their job well done. **Date to Meet with Tom Troutman** – Supervisors Stopfel and Eppley will meet with Tom Troutman and go over the annual EMC insurance coverage. The Secretary will set up a meeting for this. **Internet Banking** – the Secretary asks for the Board’s approval to set up internet banking so that she can electronically transfer monies from one account to another as necessary. **Motion** – Supervisor Stopfel made a motion to authorize the Secretary to proceed with this request, seconded by Supervisor Stopfel, vote called motion carried 4-0.

**OLD BUSINESS: Tree Grant Fees** – This is a tree tender program for the sycamore trees that will be planted at the park. **Motion** – Supervisor Stopfel made a motion to authorize the \$15.00 fee for Raymond Maus to attend the workshop, seconded by Supervisor Eppley, vote called, motion carried 4-0.

**Sewer Extension Resolution** – this was previously addressed under the Solicitor’s report.

**NEW BUSINESS: Tri County Planning Commission Memorandum of Understanding** – Chairman Bechtel brought up to the Board about reviewing this memorandum in preparation for discussion by the the next meeting in May. Chairman Bechtel will talk to Tim Reardon about the memorandum.

**Employee Position** – Dale Shoop has informed the Board that he would like to semi-retire as Roadmaster. **Motion** – Supervisor Hoover made a motion to authorize Dale to remain in a diminished capacity with gross wages of \$1,000 a month, 41.5 hours per month, using his own pickup truck with minimal use of the gas credit card, be provided with dental and vision coverage and continue employment until February 1, 2012, seconded by Supervisor Eppley, vote called, motion carried 4-0.

**ANNOUNCEMENTS:** Planning Commission meeting May 2 at 7 p.m. Township Meeting May 9 at 7 p.m. Planning Commission Workshop April 18 at 7 p.m. Master Site Plan Meeting May 12 at the Halifax High School cafeteria.

**ADJOURNMENT:** Supervisor Hoover made a motion to adjourn at 10:03 p.m., seconded by Supervisor Eppley, vote called, motion carried 4-0.

Respectfully Submitted By,

Carolyn Nye, Secretary