

Halifax Township
Board of Supervisors
Monthly Business Meeting
December 13, 2010

Call to Order: Chairman Bechtel called the meeting to order at 7:00 PM.

Roll Call: Supervisors Ken Hoover, Linda Stopfel, Carol Eppley, Gary Shultz, and Ken Bechtel were present. K&W Engineer Tom Wilson, Solicitor Bruce Warshawsky, Roadmaster Dale Shoop and Secretary Shanemarie Ferguson were also present.

Public Comment Period:

- A. Bill Krenz and George Deppen:** Bill Krenz, Treasurer of Friends of Fort Halifax Park (FOFHP), noted that the FOFHP were in support of the selective demolition of the 20th century additions to the barn area as well as the securing of the older 19th century farm units as recommended by Carl Dickson, Director of DC Parks and Recreation, who recently reviewed these structures for soundness. Mr. Krenz then presented the board with a check for \$1000 to be used for these purposes. George Deppen, Treasurer of the Halifax Area Historical Society (HAHS), reviewed HAHS' origination and role in preserving historical structures. He then went on to note that on November 23, 2010 the HAHS Board of Directors voted to join the FOFHP in their campaign to preserve the barn and housing structures that have historical significance for future generations. Mr. Deppen then presented the board with a check for \$1000, noting that a portion of the monies must be utilized to make repairs to the barn's roof to ensure its future preservation. Furthermore, he noted that if the monies were not used as stipulated, they would revert back to HAHS. Carol Eppley then motioned to accept the donations from FOFHP and HAHS and to utilize these monies as stipulated, noting her preference to see that the buildings are secured and not demolished. Linda Stopfel seconded the motion. Discussion ensued regarding the stipulations associated with the donations. Ken Hoover noted that the board had yet to decide upon the future of the barn. Chairman Bechtel noted that the monies could be accepted nonetheless and returned at a future date if the board decides that it is not interested in proceeding in a fashion that is consistent with the noted stipulations. The vote to accept the monies for the purposes stated then carried 2:2:1, with Carol Eppley and Linda Stopfel being in favor, Ken Hoover and Gary Shultz being opposed and Chairman Bechtel abstaining from the vote.
- B. Bonnie Kent** – agreed to speak later as noted on the agenda.
- C. Flo Mallonee** – declined to comment.
- D. Norma Shearer** – inquired as to the reasoning behind Chairman Bechtel's abstention on the last vote. Chairman Bechtel noted that he was not required to provide a reason for his abstention.
- E. Melinda Warfel** – declined to comment.

SECRETARY REPORT

Chairman Bechtel noted that the November 8, 2010 minutes had been presented for approval. Ken Hoover then motioned to accept the minutes as presented. Gary Shultz seconded the motion and the motion carried 5:0.

TREASURER REPORT (see attached)

Paid Interim Bills

Ken Hoover motioned to approve the paid interim bills as presented. Gary Shultz seconded the motion and the motion carried 5:0.

Unpaid Current Bills:

Gary Shultz motioned to approve for payment the unpaid bills as presented. Ken Hoover seconded the motion and the motion carried 5:0.

Financial Report: Chairman Bechtel noted that the November 2010 financial reports had been presented for board review.

SEO REPORT:

Chairman Bechtel indicated that Mike Brown had submitted an SEO report for the month of November for board review.

PLANNING COMMISSION REPORT (Presented by PC Chairman Fred Ford)

Fred Ford noted that at the December 6, 2010 PC meeting, a joint meeting was held with representatives from Jefferson Township to discuss the Valley's Regional Comprehensive Plan (VRCP). He then noted that following the review of the VRCP with Rettew associates, the Planning Commission voted to recommend to the Board of Supervisors that the Township participate in its implementation.

Fred then noted that he, Mark Reed, and Robert Artman had completed PSAB's land development course and had received certification.

Chairman Bechtel then noted that at the December 20th Planning Commission workshop, the Valley's Regional Comprehensive Plan will be discussed. He then noted that it is a public meeting and has been properly advertised to allow for the attendance of all Board members so that they can participate in the discussion.

SOLICITOR REPORT (Presented by Bruce Warshawsky – see attached)

Bruce Warshawsky noted his submission of his monthly report dated December 10, 2010, for consideration by the Board. He then reviewed the following items:

Subdivision/Land Development Plans:

Charles and Janine Paulvir:

Solicitor Warshawsky noted that in light of recent discussions with Susquehanna Bank regarding the limited purpose for which the Paulvir's letter of credit was required and the surrounding circumstances, he has since received a letter from Susquehanna Bank rescinding their termination letter of Mr. Paulvir's letter of credit. Accordingly, the letter of credit now stands.

Other Matters:

Manning Lease:

Solicitor Warshawsky noted that the Manning's have obtained legal counsel and it appears that they are moving towards bankruptcy. He then indicated that he would be in touch with their counsel again prior to next meeting to confirm their intent but noted that at the moment there is nothing further to do in terms of attempting enforcement.

Executive Session:

Solicitor Warshawsky then noted the need to schedule an executive session prior to the next board meeting to discuss the DONCO litigation matter. The board then agreed to schedule the executive session for January 10, 2011 at 6PM.

ENGINEER REPORT (Presented by Tom Wilson – see attached)

Tom Wilson of K&W Engineers reviewed the services provided to the Township for the November period as contained in the Engineer's Report dated December 1, 2010. No action was required by the board.

ROADMASTER REPORT (Presented by Dale Shoop)

Dale noted that the Township had received a letter from Central Pennsylvania Conservancy regarding the scheduling of the annual Park boundary walk and indicated that he would be willing to oversee that, to which the board agreed.

Dale then noted that in the following week he would be completing the work on Middle Road associated with a 2006 grant that the Township received for dirt and gravel roads. He then noted that following the County's review of the work an additional \$600 disbursement would be forthcoming to the Township.

ADMINISTRATIVE

- A. Approval for PSATS 2011 Subscription to the Township Newsletter:** Following a discussion of what is provided with the annual fees, Carol Eppley motioned to approve a Township Newsletter subscription for all board members and planning commission members (with the PC Chairman to receive the Planner's subscription), along with one copy for the office and one for the tax collector. Linda Stopfel seconded the motion and the motion carried 5:0.
- B. Adoption of the 2011 Budget:** Chairman Bechtel noted that the 2011 budget had been properly advertised. Gary Shultz then motioned to accept the 2011 budget as presented. Ken Hoover seconded the motion and noted that there were no tax increases for 2011. The motion then carried 5:0.
- C. Adoption of the SALDO with Act 167 Revisions:** Chairman Bechtel noted that that there was a public hearing at the Township on December 9, 2010 to give the public the opportunity to review and discuss the proposed revisions to the SALDO, which largely pertain to stormwater management (as required under Act 167). Solicitor Warshawsky noted that while no substantive changes were necessary there were a few minor technical corrections that needed to be made that had been identified at the public meeting. He also noted that Barry Newman from the Department of Environmental Protection had expressed some concern over the decision to integrate the stormwater management regulations into the Township's SALDO as opposed to having it as a separate stand-alone ordinance. Bruce noted that Mr. Newman's concern pertained to whether or not violations of the stormwater management regulations could be enforced under the SALDO when a corresponding subdivision or land development was not involved. Bruce then indicated that while it was his professional opinion that the provisions contained within the amended SALDO were sufficient to allow for such enforcement, he nonetheless provided Tom Wilson with a policy statement to include in the SALDO (Subsection 4 of Section 204), which would function as a stand-alone ordinance in terms of ensuring that the Township has the capacity to enforce stormwater management violations regardless of whether the regulated activity is part of a subdivision or land development. He then suggested that Chairman Bechtel entertain a motion

from the board to adopt the amended SALDO which now includes the technical corrections identified at the public hearing along with the noted provision, Subsection 4 of Section 204. Gary Shultz then motioned to adopt the amended SALDO as noted. Ken Hoover seconded the motion. Carol Eppley noted that prior stormwater management violations were enforced by the Dauphin County Conservation District (DCCD) and inquired as to whether or not the Township would now be responsible for such enforcement. Solicitor Warshawsky confirmed that the Township would now be responsible for enforcement of stormwater management violations. Chairman Bechtel then noted that DCCD would still be responsible for enforcing erosion and sedimentation violations. The vote then carried 5:0.

D. Adoption of the 2011 Tax Resolution: Chairman Bechtel noted the following tax rates for 2011 per the proposed resolution:

Street Light Tax (per every foot of frontage associated with a given parcel):

Class I	\$0.104
Class II	\$0.130
Class III	\$0.416
Class IV	\$0.520
Class V	\$0.117
Class VI	\$0.468
Real Estate Tax:	.42 mills
Per Capita Tax:	\$5.00
Earned Income Tax:	.5%
Fire Protection Tax:	.51 mills
Real Estate Transfer Tax:	.5%

He then reiterated that there were no changes to the 2011 tax rates. Finally, he noted that the Township had designated H.A. Berkheimer, Inc. to exclusively collect the earned income tax levied for Halifax Township for the term January 1, 2011 through December 31, 2011 subject to the successful negotiation of a binding agreement. Ken Hoover then motioned to accept the resolution as presented. Gary Shultz seconded the motion and the motion carried 5:0.

E. Advertisement of the 2011 BOS and PC Meeting Dates: Ken Hoover motioned to advertise the dates for the 2011 BOS and PC meetings as presented by Secretary Ferguson. Gary Shultz seconded the motion. Chairman Bechtel then noted that the 2011 monthly Board of Supervisor meetings were scheduled to occur the second Monday of the month at 7PM, with no exception. He then noted that the 2011 Planning Commission meetings were scheduled to occur the first Monday of the month at 7PM, with two exceptions, one being the July meeting, which will be held on Wednesday, July 6th at 7PM (in order to observe the 4th of July) and the other being the September meeting which will be held on Wednesday, September 7th at 7PM (in order to observe Labor Day). The vote then carried 5:0.

F. 2011 HAWASA and PC Appointments: Chairman Bechtel noted that Fred Ford's term for serving as the Township's HAWASA representative will expire at the end of the year. Moreover, he noted that Fred had expressed an interest in serving an additional five year term. Gary Shultz then motioned to reappoint Fred Ford to serve as the Township's HAWASA representative, with the new term commencing January 1, 2011 and ending December 31, 2015. Ken Hoover seconded the motion and the vote carried 5:0. Chairman Bechtel then noted that Bob Artman's term on the Planning Commission board expires at the end of the year as well and indicated that Bob also expressed an interest in serving an additional 4 year term. Ken Hoover then motioned to reappoint Bob Artman to serve as a member of the Township's Planning Commission, with the new term commencing January 1, 2011 and ending December 31, 2014. Gary Shultz seconded the motion. He then took the opportunity to thank both Fred and Bob for their prior service and for their willingness to continue to serve the Township in this capacity. The vote then carried 5:0.

G. Nightwine Invoice- Reimbursable by Applicant: Solicitor Warshawsky reviewed the nature of the legal services provided as recently billed under the Nightwine Subdivision invoice for \$162. Discussion then ensued as to whether or not the applicant or the Township was to be responsible for these fees. The board agreed to bill Mr. Nightwine for these fees since Solicitor Warshawsky's legal review was necessary to ensure that the terms of agreement that Mr. Nightwine previously entered into were satisfied before granting Plan approval. No action was required by the board as the invoice noted that the fees were reimbursable by the applicant.

OLD BUSINESS

- A. EIT Update:** Chairman Bechtel noted that at a prior meeting the Board of Supervisors had agreed to follow suit with the Halifax Area School District (HASD) in terms of selecting an agency to collect its Earned Income Tax. He then noted that HASD had agreed to utilize H.A. Berkheimer, Inc, commencing January 1, 2011, given the successful negotiation of a binding agreement. Accordingly, he noted that the Township would be proceeding similarly. Solicitor Warshawsky then indicated that he expected that a final agreement with Berkheimer and the corresponding documents would be completed and available for board approval at the January BOS meeting.

NEW BUSINESS

Chairman Bechtel noted that he would be diverting from the agenda and would be postponing Bonnie Kent's presentation until all Township business had been conducted so that the Township Solicitor and Engineer could be excused following the conclusion of Township business.

- A. TreeVitalize Tree Grant:** Gary Shultz noted that Norma Shearer had forwarded information to the Township on the TreeVitalize grant, noting that it could be utilized for some of the landscaping that has been designated for the Park in the Master Site Plan. He then suggested that the Master Site Plan Committee integrate its work on the Plan in such a way that would allow it to take advantage of the grant if at all possible. He then thanked Norma for the note of interest.
- B. DC Human Services:** Bonnie Kent reviewed the history of Northern Dauphin Human Services Center and highlighted the services that are provided along with the contributors that make these services possible. With respect to Halifax Township, she noted that all of the services were available to Halifax Township residents with the exception of the food pantry services, noting that they could only be utilized in the event of an emergency since the United Methodist Church of Halifax serves as the food pantry for this area.

ANNOUNCEMENTS:

Chairman Bechtel announced the following upcoming meetings/events:

Planning Commission Workshop	December 20, 2010 7PM – Public Meeting:VRCP review
Office Closed	December 22-24th
Office Closed	December 31, 2010 – in observance of New Year's Day
Planning Commission Reorg. Meeting	January 3, 2011 6PM
Township Reorg. Meeting	January 3, 2011 7PM
Auditor's Reorg. Meeting	January 4, 2011 6PM
Township BOS Monthly Meeting	January 10, 2011 7PM

Carol Eppley took the opportunity to congratulate Linda Stopfel on being elected President of the Dauphin County Association of Township Officials.

ADJOURNMENT: Ken Hoover motioned to adjourn the meeting at 9:14 PM. Carol Eppley seconded the motion and the motion carried 5:0.

Respectfully submitted,
Shanemarie Ferguson, Township Secretary