

Halifax Township
Board of Supervisors
Monthly Business Meeting
February 8, 2010

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

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

Chairman Bechtel announced that the board held an executive session earlier in the evening from 6:00 to 6:40 PM to discuss personnel matters. He also noted that Solicitor Warshawsky was present.

Public Comment Period:

- A. Bob Artman:** Inquired of the continued use of the traffic lights at the school, noting that there had been prior discussion with the school board about the possibility of turning off the lights during periods of heavy traffic (i.e. during morning commutes). Bob also indicated that the Susquehanna Bank sign located at Carsonville Run poses a traffic hazard in the evening hours due to its intensity, stating that he had been blinded by the sign to the extent that he was unable to see in front of him. He asked if the bank could be contacted to see if they could possibly decrease the intensity of the sign during these later hours when it poses a risk.
- B. Robert Blosser:** Noted that he and his wife are members of the PA Museum and Historical Society and asked if the board would provide information about the Sycamore Tree Grant that it is currently pursuing. Supervisor Stopfel indicated that the Tree Vitalize program is offering the grant and that the township has applied for 40 sycamore trees to replace trees on the west side of the highway at Fort Halifax Park. In addition, Supervisor Stopfel noted that the grant would cover the cost of trees, bark mulch, and soil and that the township would have to come up with \$2800 in matching funds. Moreover, she noted anticipated involvement and in-kind donations from organizations within the community, including the Halifax High School's Forestry and Conservation Club, Twin Valley Conservation, Friends of Ft. Halifax Park, the Historical Society, as well as the local Boy Scouts and Girl Scouts. Finally, Supervisor Stopfel indicated that the PA Historical Museum Commission would like the township to do its part in preserving this memorial of trees, originally planted in April of 1922 in honor of WWI veterans. Mr. Blosser then asked that the board look favorably on the grant, noting his support for it and indicating that he hoped that the township would not continue to lose grant funding as it had done in the past.
- C. Twin Valley Conservation:** Representatives Rich Frantz, Rudi Erb, and Paul Shoop indicated that TVC would be willing to provide 25% of the matching funds needed by the township for the sycamore tree planting project. In addition they noted their willingness to assist with watering and caring for the new saplings until they become established.
- D. Lauren Bitting Ellis:** Spoke in support of the sycamore tree grant noting not only their nostalgic presence in the township, but also their symbolism of community support for those that serve our country, which she has been able to share with her children. She indicated her hope that the board would not overlook the beauty and pride associated with these trees as they give consideration to their support for this grant.
- E. Bonnie Freeman:** Wanted to bring to the Board's attention the fact that tractor trailers are traveling on route 225 where it is not permitted and suggested that larger signs prohibiting such travel might be of greater help in serving as a deterrent. As President of the Friends of Fort Halifax Park, she noted their support of the planting of the sycamore trees and indicated that she would be participating in the training on how to maintain and support the growth of these trees.

- F. **Carol Witzeman:** Noted that she was a member of the FFHP and that she was speaking as the former Chair of the Board of Directors from the Central PA Conservancy. She stated that the Yeager property has both historical and ecological significance as it has a number of ecologically distinct areas. She also voiced her support for the sycamore tree grant noting the sycamores' defining presence in Halifax. She also indicated a history of support for such efforts, noting that in 2006 ten trees had been donated to replace those that had been damaged.
- G. **Flo Mallonee:** Flo reiterated her concern for the absence of a south-bound turning arrow at the Route 147 and Parmer Drive intersection in light of the related safety implications. She also noted that when the board had initially taken action to have left turn lanes installed at this intersection it was to address safety concerns. However, she stated that while the related north-bound left turning signal was installed, the south-bound left turning signal had been overlooked, resulting in additional safety concerns. She asked that the board move to fulfill its original intent to effectively address the safety concerns at this intersection by taking whatever measures necessary to install a south-bound turning arrow. Furthermore, she stated that the value of human life far outweighed any related costs that the township might incur and suggested therefore, that cost should not be an excuse for failing to take action.
- H. **Robert Poffenberger:** Noted that he was there on behalf of the Veterans of Foreign Wars and indicated that if the sycamore trees as discussed earlier were planted, he would request that they be dedicated to veterans of all wars and not just to veterans of WWI.
- I. **Hal Stopfel:** President of the Halifax Area Historical Society indicated his support for the sycamore tree planting project along Fort Halifax Park, noting that it would help to preserve Sycamore Allee. As Sycamore Allee is the only thing in Halifax Township to have made the National Historic Register, Mr. Stopfel encouraged the board to accept the grant in order to help preserve an item that is of historical significance.
- J. **Paul Shoop:** Indicated his concerns about the potential hazards associated with tractor trailers being driven on Peter's Mountain Road and 225. He also suggested that better signage be posted to mitigate their use by drivers of these larger vehicles. Chairman Bechtel noted that he himself had encountered a tractor trailer on Peter's Mountain Road and indicated the need to investigate the issue further.
- K. **Emory Eyster:** As a member of the Historical Society and the Site Planning Committee for the Friends of Fort Halifax, Mr. Eyster advocated for board support of the sycamore tree grant, noting that it would have a positive influence on their ability to acquire additional funding in support of the Park in the future.
- L. **Carl Dickson:** Director of Dauphin County Parks Department noted that his agency was responsible for transferring funds to the tree grant recipients. Furthermore he indicated his participation with the annual music festival at Fort Halifax, as well as serving on the Halifax Fort Site Plan committee, following 25 years of service towards the development of Fort Hunter. He indicated that he looked forward to working with the township on these projects in the future.
- M. **Stephen Pancoe:** Chairman of Newberry Township Board of Supervisors in York County commended the Supervisors for their thoughtfulness and foresight with respect to the preservation of the Yeager farm, stating that generations of people are served when the rural nature of a community is preserved.

SECRETARY REPORT

Gary Shultz motioned to approve the January 4, 2010 reorganization minutes as presented. Carol Eppley seconded the motion and the motion carried 4:1, with Supervisor Hoover electing to abstain from the vote since he was not present at the meeting. Carol Eppley then referred the board to the following section in the January 11, 2010 minutes where Solicitor Warshawsky broached the topic of having separate and independent council on the Planning Commission board:

... He (Warshawsky) also stated that he felt that the board should give consideration to utilizing separate and independent council on the Planning Commission board, but indicated that he would serve in that capacity as well if the board so desired. Carol Eppley asked the Planning Commission members that were present to give indication of their preference. Bob Artman recommended tabling the issue until the entire Planning Commission had the opportunity to

discuss it at their next meeting. Chairman Bechtel agreed to table it and stated that a formal decision would be made at a later date.

Carol Eppley then stated that the decision had been made to have Solicitor Warshawsky serve as the Planning Commission's legal representation without having discussed it first with either herself or Linda Stopfel and she asked for an explanation as to why they had been excluded from that decision. Chairman Bechtel indicated that a formal decision had not yet been made and that Mr. Warshawsky's attendance at the February Planning Commission meeting was not reflective of any formal decision but rather the need to provide continued legal representation to the Planning Commission in the interim. Carol Eppley then inquired as to whether the Planning Commission should still give consideration to the possibility of separate and independent council as had formerly been suggested. Discussion ensued with Chairman Bechtel noting that the Planning Commission board had since been reduced to 2 members and that the ultimate decision still rests with the Board of Supervisors. Carol Eppley then withdrew her inquiry noting that it perhaps was a moot point in light of what had already transpired. Gary Shultz then motioned to approve the January 11, 2010 minutes as presented. Carol Eppley then seconded the motion and the vote carried 4:1, with Supervisor Hoover electing to abstain from the vote since he was not present at the meeting.

TREASURER REPORT

Bills – Paid Interim Bills & Unpaid Current Bills:

Linda Stopfel motioned to approve payment of the interim bills as presented. Carol Eppley seconded the motion and the vote carried 5:0. With respect to the unpaid bills, discussion surrounding the outstanding invoices from the prior Solicitor ensued, especially as it pertained to: (1) the Special Billings that were addressed to the former Chairman's personal residency as discussed last meeting and, (2) the January 8th charges associated with the teleconferencing at the reorganization meeting, for which there was perceived to be a duplication in billing. Linda Stopfel motioned to pay all of the bills from Wix, Wenger and Weidner as presented. Carol Eppley seconded the motion and discussion ensued. Chairman Bechtel reiterated his concerns surrounding both the special billings and the perceived duplication of charges. Linda Stopfel indicated her preference to make good on these outstanding items in light of the service Wix, Wenger and Weidner provided to the township over the years. Moreover, she suggested that it was unlikely that the board would find itself to be absolved of the financial responsibility for these charges and as such, was not inclined to delay payment any further. Chairman Bechtel then called for a vote and the vote carried 3:2, with Chairman Bechtel and Supervisor Hoover being opposed to the motion. Carol Eppley then motioned to pay the remainder of the outstanding bills as presented. Linda Stopfel seconded the motion and the motion carried 5:0.

Financial Report: Chairman Bechtel noted that the January 2010 financial report had been presented for review.

PLANNING COMMISSION REPORT (Presented by Fred Ford – see attached)

Fred Ford noted that at the February 1, 2010 Planning Commission meeting Jim Eppley indicated that he would no longer be serving as the Planning Commission Chairman and thus declined to accept his reappointment as put forth at the PC's reorganization meeting. Fred Ford indicated that he had been appointed to serve as the new Chairman, with Bob Artman having been appointed to serve as the new Vice Chairman, in addition to continuing to serve as the Planning Commission's Secretary. He also stated that Jim Eppley, Ted Weaver and Jerry Hile had resigned from the Planning Commission board effective at the conclusion of the February 1, 2010 meeting. He thanked those that resigned for their efforts over the years and recommended that the board advertise the vacancies and carefully review the applicants to ensure that the appointments reflect those that are best suited to serve in this capacity.

Preliminary/Final Land Development Plan for River Ridge Mobile Home Park (2009-06-3-23-LD-S-P/F): The Planning Commission recommended to the Board that they grant conditional approval of the RRMHP Plan, with approval being contingent upon submission/completion/receipt of the following:

1. Applicant's provision of financial security as based upon the Board approved certified construction cost estimate

2. DEP approval of the sewage “Plan Revisions Module for Land Development”
3. PennDOT HOP as related to the proposed private driveway modifications (SR-0225 connection)
4. License to operate a Mobile Home Park (to be provided to the applicant by Solicitor Warshawsky)
5. Reimbursement to the township for any outstanding Solicitor and Engineering review fees

Carol Eppley motioned to grant the applicant conditional approval of the Plan with the contingencies noted above. Ken Hoover seconded the motion and the vote carried 5:0.

Tony Trost then asked that the Board approve the DEP “Resolution for Plan Revision for New Land Development” (see attached) which pertained to RRMHP’s sewage facilities planning module. Discussion ensued with Linda Stopfel noting her concern about the nature of the resolution, suggesting that it was in effect an indirect attempt by DEP to facilitate municipal compliance with Act 537. Solicitor Warshawsky stated that in his opinion there was minimal risk to the township associated with the adoption of this resolution. Carol Eppley then asked that the Solicitor read the resolution, for which he responded with a reading of the items contained within the resolution that he felt to be pertinent. Carol Eppley then motioned to approve the Resolution. Gary Shultz seconded the motion and the vote carried 4:1 with Linda Stopfel being opposed to the motion. Solicitor Warshawsky then noted that the resolution would need to be numbered and executed by the Chairman.

Solicitor Warshawsky then asked to share additional information with the board regarding the Planning Commission and the resignation of 3 of its members. Specifically, he noted that while the township had a 1967 ordinance establishing the Planning Commission, it had been amended de facto by the 1968 Pennsylvania Municipalities Planning Code (MPC), as the ordinance was not in compliance with the requirements of the MPC to which the township is to adhere. With respect to the most recently appointed members, Solicitor Warshawsky noted that there appeared to be some inconsistencies with respect to the ending dates of the terms noting that while each member was appointed to a four year term, some terms ended in April and others in January. He then indicated that the board was required to fill the vacancies for only the unexpired portion of these terms, for which it would be April 2013 for those individuals appointed to fulfill Mr. Eppley’s and Mr. Hile’s term and April 2012 for the individual appointed to fulfill Mr. Weaver’s term. As a side note, he also stated that Mr. Ford’s and Mr. Artman’s appointments were to expire April 2012 and January 2011 respectively. Solicitor Warshawsky then went on to say that while it might be the impression of some that 3 of the 5 members of a Planning Commission Board must be present to establish a quorum and conduct business, the MPC is silent on the issue of what constitutes a quorum. In light of the fact that (1) the board has never adopted any by-laws governing the number required to be present to serve as a quorum and (2) terms have been inconsistently applied, Solicitor Warshawsky recommended that the board establish and adopt by-laws for the Planning Commission and have all terms expire on December 31st of the fourth year of the term. Finally, he noted that per the MPC, at least three members of a five-member Planning Commission Board must be citizen members, such that they are neither an employee nor an official of the township. As such, he suggested that the board take immediate action to fill at least one vacancy by a non-employee/officer of the township in order to technically comply with the requirements of the MPC. Linda Stopfel then stated that doing so would not provide an opportunity to advertise for the vacancies. Solicitor Warshawsky then suggested that the board was then out of compliance with the three citizen member requirement and thus it was his opinion that the Planning Commission could not conduct business until the third citizen member had been appointed to fill the unexpired term of one of the three vacancies. Linda Stopfel then noted that it was her understanding that there was no business currently before the Planning Commission and asked Fred Ford to indicate whether or not he felt that the board could delay the appointment until they did have the opportunity to advertise. Fred Ford then stated that there was not any business before the Planning Commission currently other than the SALDO review and certain housekeeping items. Solicitor Warshawsky then inquired of the status of the Accu-Mold “As-Built” Plan and Fred indicated that the Water and Sewer Authority was currently working with Accu-Mold to resolve some of its issues which he assured would not be resolved within the next month.

Linda Stopfel then motioned to advertise immediately and table any appointments until the board had the opportunity to advertise and properly identify the most qualified candidate to fill this position. Carol Eppley seconded the motion and discussion ensued surrounding the submission of plans in the interim. The vote then carried 5:0.

SOLICITOR REPORT (Presented by Bruce Warshawsky – see attached)

Solicitor Warshawsky indicated that he had submitted a report dated February 05, 2010 for board consideration detailing the current status of projects pending prior to January 4, 2010 and work done since that time. He noted that the only items for discussion contained within that report pertained to Accu-Mold and the Harn nuisance, which were to be addressed later on in the meeting per the agenda. Linda Stopfel then noted an inaccuracy in Solicitor Warshawsky's report under item 3.b. whereby Solicitor Warshawsky indicated that the DONCO litigation as referenced, directly involved Supervisor Stopfel's "private interests". Solicitor Warshawsky suggested that the correspondence recently received from Judge Bratton indicated to him that there was a personal interest. Linda then noted that the item addressed in the correspondence from Judge Bratton had nothing to do with the current Lenker case that is in litigation. Solicitor Warshawsky then noted that he did not have all of the files from the former Solicitor and only had to go on what had been provided to date, which he indicated was obviously incomplete. Linda then stated that his information was not incomplete but inaccurate rather.

ENGINEER REPORT

The Engineer's Report dated February 9, 2010 was reviewed by Tom Wilson of K&W Engineers. Mr. Wilson briefly outlined the services provided to the township for the period: 12/26/09-01/29/10. No action was required. (See Report)

Solicitor Warshawsky then indicated that he had two additional action items that he had not been able to submit in time to be included on the agenda which pertained to: (1) board approval of the application for "Mobile Home Park Permit (and Original License)" and (2) board adoption of the submitted resolution that establishes the fee schedule for engineering and legal fees as required under the township's subdivision and land development ordinance. With respect to the application for a Mobile Home Park, Solicitor Warshawsky indicated that it was required of all applicants submitting plans for a new mobile home park to comply with the provisions set forth in the SALDO. Moreover, he indicated that this item had been designated as a contingency for approval of River Ridge Mobile Home Park. Gary Shultz then motioned to approve this form for use in accordance with the provisions of the township's SALDO. Ken Hoover then seconded the motion and the vote carried 5:0. In light of the fact that the Solicitor's revised 2010 fee schedule had yet to be discussed or approved, Chairman Bechtel elected to postpone giving consideration to item number 2 until later when the board would have the opportunity to discuss the Solicitor's fees in general.

Linda Stopfel then asked Chairman Bechtel if the Tree Grant could be addressed following the Roadmaster's report in light of the number of individuals present that had an interest in the planting of the sycamore trees and Chairman Bechtel indicated that would be fine.

ROADMASTER REPORT

The Roadmaster's Report was presented by Dale Shoop.

Dale indicated that there have been problems with pipes freezing in the well housing at the Park. He indicated that both the well housing roof and the door was in need of replacement and asked if he could get an estimate of cost for the repairs to which the board agreed.

In response to last month's discussion surrounding drainage problems at Witmer Manor and Williams Street, Dale noted that Larry Michaels had indicated that he was not willing to provide the drainage easement as requested by the board in order to proceed with its efforts. In light of the fact that the efforts to be taken were to be done for the purpose of helping to alleviate Mr. Michaels' drainage issues, and Mr. Michaels' was unwilling to provide the required drainage easement, Carol Eppley motioned to drop the project altogether at this time. Linda Stopfel seconded the motion and the motion carried 5:0.

Dale then discussed with the board possible locations for the Park Signs.

Finally, Dale asked the board if they wanted to address the congestion concerns surrounding the continued use of the flashing lights at the school as mentioned during the public comment period. Discussion ensued. The board indicated that it was not prepared to make any changes to the use of these lights at this time.

TREE GRANT

Linda Stopfel indicated that through the Tree Vitalize grant program, the township would be seeking funding for 40 sycamore trees, to be placed primarily on the west side of Ft. Halifax Park to replace those that had been removed. Moreover, she noted that the grant allows for a maximum of \$200 per tree to cover all eligible expenses including trees, tree supplies, site preparation and tree-planting costs. Finally, with respect to funding she indicated that the township would not be subject to the grant's 50% matching cash funds requirement in light of the exceptional plan for community and volunteer involvement. She then noted that there was a requirement for 2 municipal staff members and 2 volunteers to attend a Tree Tender Training Workshop in York related to proper planting and follow-up care for the trees, for which she indicated she had over a dozen volunteers, aside from staff. Linda then discussed the historical significance of the trees, noting that President Warren G. Harding had issued a proclamation to the Governor of Pennsylvania, mandating that these trees be planted every 30 feet along the most important roadways of our nation at that time in memory of those who died in World War I. She also noted that the majority of the original trees had been destroyed due to widening of roads and because the township roads have never been widened, it has the few remaining trees in the nation which currently comprise the only Tree Allee on the National Historic Register in the U.S. She then indicated the need to remove the 8 standing Pin Oaks at the Park in order to be consistent in spacing the trees every 30 feet. Dale Shoop then indicated that Mr. Gusler, a local logger had quoted him a fee of \$350 to remove all 8 trees, and the related lumber, leaving behind brush, limb and stumps. He also noted that he was not in favor of removing mature, healthy trees such as these and asked Linda if they could be left alone. Linda indicated that she felt that the replacement of the pin oaks would help preserve the intended significance of the sycamore trees, as well as contribute to the uniqueness of the park. Carolyn Nye then asked if the 5 or 6 sycamore trees dubbed hazardous by the state forester could be taken down and replaced in lieu of the pin oaks that were healthy and of no hazard. Linda indicated that she worked closely with the state forester and that he had indicated that at some point in the future these trees would need to be replaced, but not presently. Chairman Bechtel then stated that there were at least 2 sycamore trees in his opinion that needed to come down. Linda then noted that this grant was not written for the replacement of trees that are presently standing but indicated that if so desired she would write a grant next year to replace these other trees. Chairman Bechtel then indicated that his main objection was to the removal of the pin oaks which he stated can live up to 400 years, only to replace them with trees that show signs of deterioration after less than 100 years. Linda then indicated that the original oriental plane sycamores that were planted were less resistant to disease and not as inclined to withstand the local climate as the London plane sycamore trees that they planned to use for this project. Gary Shultz then indicated that he was pleased to see the degree of participation and interest related to this grant. However, he noted that he would have preferred to have been made aware of it prior to the meeting as some of the public had been. He then asked if the Park's Master Site Plan had been taken into consideration with the planting of the trees and Linda stated that it in fact had been and that many of the volunteers were directly involved with the Park's Master Site Plan. Gary then stated that he was not opposed to the project in light of the public interest and the fact that there would be no monetary cost to the township. Chairman Bechtel then indicated the need to have the trees placed far enough back on park property to ensure that they don't obstruct anyone's views. Carol Eppley then motioned to allow an in-kind donation of the use of township equipment and manpower to facilitate both the required preparation and planting of the 40 sycamore trees, assuming the township receives the grant. Chairmen Bechtel then asked Linda to confirm that there would be no monetary cost to the township, for which she responded affirmatively. She also indicated that she would pay for any out-of-pocket expenses herself if there were any expenses to be incurred. Solicitor Warshawsky then indicated that there would at least be a \$350 fee for the removal of the pin oaks. Carol Eppley then indicated that she had intended to include that with her motion. Discussion then ensued concerning the removal of the tree stumps. Linda indicated that the township had been able to utilize their equipment in the past to remove tree stumps. Dale Shoop noted that it would be difficult but that he could remove the stumps with the township's backhoe. He also indicated that the limbs left behind might pose a challenge in terms of locating a place to dump them. Chairman Bechtel then suggested that a wood-chipper might be utilized in

the process. Solicitor Warshawsky then indicated that any cash expenditures that might be required could be approved at a later date following approval of the grant. Chairman Bechtel then noted that the motion on the table was solely for the approval of an in-kind donation of the use of township equipment and manpower to facilitate the preparation and planting of the 40 sycamore trees. Linda Stopfel then seconded the motion and motion carried 5:0.

ADMINISTRATIVE

- A. Snow Event/Emergency:** Chairman Bechtel indicated that Gary Shultz elected to pull this item from the agenda.
- B. PC Back-Up:** Gary Shultz indicated the need for the township to secure its electronic records via both an on-site and off-site back-up system. He also indicated that these items would fall under the category of budgeted office expenditures, thereby requiring no action by the board. He then recommended that Secretary Ferguson move to get proper back-up systems in place.
- C. Endorsement of Deputy Tax Collector:** Chairman Bechtel noted that Melinda Warfel had appointed her son, Jeremy Dobbin to serve as Deputy Tax Collector for the next four years from 2010-2013. In addition, he indicated that Melinda had requested that the township provide the Dauphin County Treasurer with notification that the township had in fact been apprised of this appointment. Solicitor Warshawsky recommended that the board direct Secretary Ferguson to author this letter and indicated that he would be willing to review it if needed.
- D. Appointment of JP Harris to collect on delinquent per capita taxes:** Chairman Bechtel indicated that the board had made an interim decision to reappoint JP Harris to collect on delinquent per capita taxes. He noted that this was done to coordinate collection efforts with the Halifax Area School District, to allow for a single delinquency notice to be generated thereby reducing the financial burden for those individuals that are already delinquent. Solicitor Warshawsky recommended that the board make a motion to ratify their actions taken to extend JP Harris', February 9, 2009 agreement for collection of delinquent per capita taxes and to authorize a letter to be sent under the Chairman's signature accepting JP Harris' February 3, 2010 letter to extend the contract for an additional year. Gary Shultz made a motion to that effect. Ken Hoover seconded the motion and the vote carried 5:0. Chairman Bechtel then authorized Secretary Ferguson to generate the acceptance letter for his signature.
- E. BOS signatures for collection of 2010 taxes by Melinda Warfel:** Chairman Bechtel indicated that Melinda Warfel had presented the board with the following 2010 tax figures, for which she has been charged to collect and asked the board to sign off on:
- | | |
|------------------------------|-------------|
| 2010 Real Estate Tax | \$68,862.89 |
| 2010 Fire Tax | \$83,619.99 |
| 2010 Street Light Assessment | \$12,810.51 |
- All 5 board members provided their signatures and the signed document was presented to Melinda Warfel following the close of the meeting.

OLD BUSINESS

- A. Traffic Signal:** Flo Mallonee reiterated her concerns about the lack of a southbound turning signal at Parmer Drive and 225 as expressed during the public comment period and asked the board to indicate whether they intended to address the issue. Engineer Tom Wilson stated that following the December 2009 BOS meeting, he contacted Dale Pearce of Cedar Shopping Centers/Halifax Commons and explained the traffic concerns to him as well as discussed the potential for a cooperative effort in resolving this issue. Dale Pearce indicated to Tom that he was in the process of securing a HOP for that intersection but would be willing to amend it and possibly share some of the associated costs including those related to the signal itself and preparation of the signal permit plan. Flo then stated that she did not feel that the township could afford to wait and see if and when Cedar Shopping Centers had an interest in participating in light of the potential hazards associated with delaying installation of the signal any longer. Linda Stopfel then asked Roadmaster Dale Shoop to reiterate what PennDOT had said in discussions with him. Dale noted that PennDOT stated that while it was not likely that a southbound turning signal would be warranted, it would nonetheless likely approve its installation given that a traffic

study was done and a plan was submitted. Dale also noted that the installation of the signal would take "green time" away from the light at Matamoros Road. Linda Stopfel then stated that traffic is already heavy in that area and thus the issue is not just related to cost, but also to the added congestion that it would create in another area. Chairman Bechtel then shared his own concern with the difficulty in turning onto Parmer Drive during times of heavy traffic and the lack of feasible alternative routes, especially for larger vehicles. Tom Wilson offered to reach out to Dale Pearce again to see if he could establish more definitive terms with respect to his commitment to moving forward on this with the township. Tom also noted that the traffic study that Cedars Shopping Center is working under might suffice for their purposes, which would leave only the costs associated with the change in permit plans, which he estimated to be around \$1000 and the cost of the signal and the work that would need to be done to the corresponding controller which he thought would be an additional \$2500 approximately. Chairmen Bechtel then indicated that he would appreciate it if Tom would reach out to Cedars Shopping Center again to establish the terms and degree of their commitment.

- B. Backhoe:** No discussion was had with respect to the purchase of the backhoe other than to note that Dale Shoop had already been advised to research this purchase in a prior meeting.
- C. Investment of Funds from CD that matured on January 16, 2010:** Chairman Bechtel noted that upon maturation of the CD, funds totaling \$203,627.63 were temporarily deposited into the ½% interest-bearing account that the township has with Susquehanna Bank. Furthermore, he indicated that while the board had originally stated that they would be placed in an account at Halifax Bank, Dave Hoover suggested that they deposit the funds into this existing account, noting that it did not make sense to open a new account only to have to close it shortly thereafter. With respect to how to proceed with these funds, Gary Shultz indicated that Dave Hoover had suggested that if the board were to pay off the mortgage on Ft. Halifax park, it would result in a savings of approximately \$4,000-\$5,000 in light of the fact that the interest charge associated with this loan was greater than what the township could earn in interest on their invested funds. In addition, Gary noted the need to preserve liquid fuel monies for roadways and to begin setting aside and earmarking funds for capital equipment so that funds are available when needed. Linda Stopfel indicated that monies received from Comcast were being utilized to make the mortgage payment. Gary Shultz then indicated that if the park were paid off, the funds from Comcast could be set aside and earmarked for future capital improvements. Linda then stated that while she was in agreement with setting funds aside for equipment replacement, she was not in favor of paying off the park as she felt that the township should have these financial reserves available for use elsewhere if needed. Chairman Bechtel stated that it did not make financial sense to carry this debt when the interest associated with borrowing this money is greater than the interest that can be earned on their investments at this time. Discussion ensued. The board then decided to leave the money in Susquehanna Bank and revisit the subject again next month. Chairman Bechtel then noted that the township had an additional CD at MidPenn Bank for \$100,000 that will be maturing April of 2010 for which similar consideration will need to be given.
- D. Duration of Treasurer's Terms:** Chairman Bechtel indicated that there had been some difficulty in finding time to meet with Dave Hoover to discuss his terms of engagement in light of Dave's increased professional obligations during tax season. Chairman Bechtel then asked the board if they wanted to give consideration to extending Dave's term beyond tax season so that the board would have ample opportunity to meet with him to discuss future engagement terms that would be agreeable to both the board and to Dave. Discussion ensued. Linda Stopfel then motioned to retain Dave Hoover to serve as township Treasurer for the duration of 2010 for his stated fee of \$1,000 per month, noting that it would provide enough time to meet with Dave and to advertise for the position next year if necessary. Chairman Bechtel indicated that he was partially in favor of an extension in light of the prior motion made to have Dave pay for his own bonding this year and the difficulty associated with having to address it now. Finally, Chairman Bechtel indicated the need to readdress this issue prior to preparation of the 2011 budget. Carol Eppley then seconded the motion to retain Dave Hoover for the duration of the year and the motion carried 4:1 with Chairman Bechtel being opposed.

E. Compensation for Roadmaster and Roadcrew:

a. Roadmaster Dale Shoop: Chairman Bechtel indicated that the following terms of employment were agreed upon for Dale Shoop at the executive session held earlier in the evening as announced:

- i. Annual Salary of \$49,776
- ii. 5 weeks of paid vacation
- iii. Net retirement bonus of \$3,000
- iv. Individual vision coverage
- v. Dental insurance for employee and spouse
- vi. Township vehicle for transportation to and from work
- vii. Special gross bonus for 2010 of \$1,000 (already included in 2010 budget)

Carol Eppley motioned to approve the above terms for Roadmaster Dale Shoop for 2010. Linda Stopfel seconded the motion and the vote carried 5:0.

b. Raymond Maus: Chairman Bechtel indicated that the following terms of employment were agreed upon for Raymond Maus at the executive session held earlier in the evening as announced:

- i. Annual Salary of \$35,000
- ii. 5 weeks of paid vacation
- iii. Net retirement bonus of \$2,000
- iv. Medical insurance for employee and spouse
- v. Individual vision coverage
- vi. Reimbursement of Medicare Part B
- vii. Township vehicle for transportation to and from work

Ken Hoover motioned to approve the above terms for Raymond Maus for 2010. Carol Eppley seconded the motion and the vote carried 5:0.

F. Terms of Employment for Secretary: Chairman Bechtel indicated that the following terms of employment for Shanemarie Ferguson were established at the executive session held earlier in the evening as announced:

- a. Annual Salary of \$25,000
- b. 2 weeks of paid leave to be used for vacation, sick and/or personal leave

Linda Stopfel motioned to approve the above terms for Shanemarie Ferguson. Carol Eppley seconded the motion and the vote carried 5:0.

G. 2010 Fee Schedule for Solicitor: Chairman Bechtel indicated that Bruce Warshawsky had presented a revised 2010 fee schedule to the board dated January 13, 2010 for consideration (see attached). Gary Shultz motioned to accept the fee schedule as presented. Ken Hoover seconded the motion. Discussion then ensued with Linda Stopfel again noting her preference for the board to terminate the services of Solicitor Warshawsky and advertise for the position. She stated that doing so would allow for a healthy start in working together as a board. In addition, she stated that she felt that her rights as a supervisor had been violated by decisions made outside of meeting times by other board members to take action to remove the prior Solicitor and appoint Bruce Warshawsky without her involvement or Carol Eppley's. Finally she indicated that the June 14, 2004 minutes established that an ethical and fair approach had been taken in the past when appointing a new township Solicitor. Chairman Bechtel indicated that he did not feel that the recent actions taken to change the appointed Solicitor were any different from those taken when Bruce Warshawsky was formerly let go. Linda Stopfel then indicated that Bruce Warshawsky had been informed of a lack of faith in his services prior to being let go and that the board had both advertised and interviewed for his successor. Upon request, Chairman Bechtel then read the revised proposal aloud. The Solicitor indicated that there was no retainer fee and that his fees would be based on time spent at an hourly rate of \$180.00. Discussion ensued. The vote to approve the revised fee schedule for 2010 then carried 3:2 with Carol Eppley and Linda Stopfel being opposed.

H. Appointment to EMC/HAWASA/ HARA Vacancies:

a. EMC – Chairman Bechtel noted that Charlie Bisking was the sole applicant for the EMC position. In addition, he noted that initially he had concerns about Mr. Bisking not residing in the township but noted that he had been informed that it was not out of the ordinary to appoint a non-resident. Discussion ensued. Linda Stopfel then motioned to

appoint Charles Bisking to serve as the township's EMC. Carol Eppley seconded the motion and the vote carried 5:0. Discussion ensued with respect to some form of compensation for the position. Linda Stopfel and Chairman Bechtel indicated their preference to postpone consideration of compensation until next year, as it had not been budgeted for in this year's budget. However, in light of the extensive training requirements and the associated out-of-pocket expenses, Gary Shultz motioned to provide for up to \$1000 in training related expenses, to include training fees, mileage, housing etc. as necessary to comply with the EMC training requirements. Carol Eppley seconded the motion and the vote carried 5:0.

b. HAWASA – Chairman Bechtel noted that both Flo Malonee and Michael Sweigard applied for the HAWASA vacancy. He then read the qualifying narrative submitted by the applicants aloud. Discussion ensued with Fred Ford indicating the need for the board to give consideration to whether or not the applicant works well with others. Flo Mallonee indicated that she had a good working relationship with other HAWASA members but then withdrew her application. Prior to the decision Flo then indicated that she did in fact still want to be considered. Linda Stopfel then motioned to appoint Michael Sweigard. Carol Eppley seconded the motion and the vote carried 4:1 with Chairman Bechtel electing to abstain from the vote in light of his business relationship with Michael Sweigard.

c. HARA – Chairman Bechtel noted that Fred Ford was the sole applicant for the HARA vacancy. Carol Eppley motioned to appoint Fred Ford to the HARA vacancy. Linda Stopfel seconded the motion and the motion carried 5:0.

I. Ft. Halifax Park Tenant: Flo Mallonee elected not to comment at this time.

J. Accu-Mold: Solicitor Warshawsky recommended that the Planning Commission revisit items pertaining to Accu-Mold that were addressed at the November 2009 Planning Commission meeting as official business was not conducted then due to a lack of a quorum.

K. Harn Nuisance: Solicitor Warshawsky recommended that the board allow him to proceed under the Pennsylvania Rules of Civil Procedure to initiate a Sheriff's Sale on Harn property indicating that it might provide Mr. Harn with the proper incentive to comply with the township's prior requests to resolve the car nuisance that has been deemed to exist on his property. Gary Shultz motioned to authorize the Solicitor to take such actions. Carol Eppley seconded the motion and the motion carried 5:0.

NEW BUSINESS

A. Physical storage of "closed" files previously held by former Solicitor: Solicitor Warshawsky noted that he had received closed files from the former Solicitor and noted the need to determine where those files should be housed. He also indicated his willingness to go through those files with the Secretary and Roadmaster to determine proper archival. However, the board indicated their preference to have the files returned to the township for current warehousing until proper determination of retention and archiving could be made. In light of the Solicitor's revised fee schedule having been approved by the board, Solicitor Warshawsky then asked the board to take action on the adoption of the submitted **resolution that establishes the fee schedule for engineering and legal fees** as required under the township's subdivision and land development ordinance. Gary Shultz motioned to adopt the fee schedule resolution as presented by the Solicitor. Ken Hoover seconded the motion and the vote carried 5:0.

B. Census Liaison appointment: Chairman Bechtel indicated that the township had received a request from Dauphin County Office of Commissioners to appoint a liaison to serve on a Municipal Committee aimed at facilitating greater participating in the 2010 Census. Resident Loretta Prouse volunteered to do so and the board thanked her for her willingness to serve in this capacity.

C. Park Seeding: Chairman Bechtel indicated that he would postpone discussion of the park seeding but noted that he did not want the park be overcome by weeds as it was last year and noted the difficulty associated with seeding it at a later date.

- D. Planning Commission Vacancies:** Chairman Bechtel reiterated that these vacancies would be advertised for as discussed earlier.
- E. Vehicle Size Ordinance on Mountain Road:** Solicitor Warshawsky presented the proposed amended ordinance for advertisement noting that it was both consistent with the Engineer's recommendations and those of Reed Township. Linda Stopfel motioned to advertise the proposed amended ordinance as required in order to take action on it at the next BOS meeting. Carol Eppley seconded the motion and the vote carried 5:0.
- F. New Funding Opportunities:** Gary Shultz indicated that adequate discussion had been given to this issue under the heading of "Investment of funds from CD that matured on 01/16/2010."
- G. Charitable Contributions:** Chairman Bechtel indicated that Upper Dauphin Human Services Center, Halifax Senior Center and Volunteer Home Care had requested a charitable donation from the township. Carol Eppley motioned to contribute \$200 to each of the above organizations and Linda Stopfel seconded the motion. Township resident, Loretta Prouse, asked that the board increase the contribution for Upper Dauphin Human Services to \$250, noting that there is greater reliance on this organization for assistance, yet less funding available to meet these needs. Linda Stopfel indicated her preference to cap the total amount of charitable contributions at \$600 for these 3 organizations, noting that she wants to be sure that the township has funds left to contribute to other charitable organizations that surface throughout the year as the need arises. Carol Eppley and Linda Stopfel then amended the motion and second respectively, to allow for a \$250 contribution to both Upper Dauphin Human Services and Volunteer Home Care and a lesser contribution to Halifax Senior Center in the amount of \$100. The amended motion then carried 5:0.

ANNOUNCEMENTS:

Chairman Bechtel announced the first agricultural conservation easement purchase in the township, noting that it is in preservation of agricultural land owned by Jeremy and Jennifer Dobbin.

Chairman Bechtel then announced the following upcoming meetings:

Planning Commission Meeting	March 1, 2010 7PM
Township BOS Monthly Meeting	March 8, 2010 7PM

ADJOURNMENT: The board motioned to adjourn the meeting at 11:15 PM.

Respectfully submitted,

Shanemarie Ferguson
Township Secretary