

**Liberty Township Board of Supervisors
39 Topper Road, Fairfield, PA 17320**

November 19, 2019 Workshop Meeting Minutes

The Board of Supervisors of Liberty Township, Adams County, met Tuesday November 19, at 11 AM, at the Liberty Township Municipal Building, 39 Topper Road, Fairfield, PA 17320, for the regular monthly workshop meeting.

Present: Chairman John Bostek, Vice Chairman Bob Jackson, Supervisor Walter Barlow, Solicitor John Lisko, Chief Sherri Hansen, Zoning Officer Darrin Gatts; Roadmaster Brian Arentz and Secretary/Treasurer Wendy Peck.

Mr. Bostek called the meeting to order at 11:03 AM.

Public Comments: None.

Supervisor Comments

- **Mr. Bostek** announced that the Board of Supervisors held an Executive Session directly prior to the meeting from 10 AM to 11 AM. In the Executive Session the Supervisors discussed personnel matters concerning the Chief of Police and claims against the bond companies resulting from the former Secretary/Treasurer. He went on to state that he reported a dead deer on Orchard Road and that he expected it to be picked up soon.
- **Mr. Jackson** stated that it was the end of Chief Hansen's six-month probation period and offered her congratulations. He reported that he regularly attends the COG meetings and they discuss legislation. He reported that at the upcoming meeting on Thursday they are scheduled to vote on three resolutions: Cyber School Charter that would take a portion of funding away from public schools and apply to Charter Schools; Local Radar which COG is in favor of and would allow municipal police departments with 24 hour coverage to use radar; and increasing the Prevailing Wage project limits. Mr. Barlow commented about the Cyber Schools and how parents using Cyber Schools would like their public school tax to fund the Cyber Schools that they are using instead of the public schools. He stated that he was in support of the Radar and Prevailing Wage resolutions but against the Cyber School resolution. Mr. Jackson stated that he would support the Radar and Prevailing Wage resolutions at the upcoming COG meeting.
- **Mr. Barlow** congratulated Chief Hansen and stated that she is doing a great job. He went on to say that the residents that he had spoken to are very pleased.

Expenses: Mr. Barlow made a motion to approve the 11/07-11/19/19 invoices. Mr. Jackson seconded the motion. All voted yes, and the motion passed. Mr. Barlow made a motion to retroactively approve the payroll for 10/27-11/09/2019. Mr. Jackson seconded the motion. All voted yes, and the motion passed.

TOWNSHIP STAFF REPORTS

Road Department: The Roadmaster reported that he reached out to three companies to obtain bids for Emergency Snow Removal Services. He received a bid from Hobbs Trucking. He received no response from Stone Ridge Manor or AMS Tree Care. Mr. Bostek asked if he contacted Mr. McNair who seems to have a lot of trucks. Mr. Arentz commented that Mr. McNair does a lot of work for the state.

Secretary/Treasurer: The Secretary reported that she was contacted by the Census Bureau who is asking to use the Township Building for training in 2020. Mr. Bostek made a motion to allow the Census Bureau to use the Township Building for training. Mr. Jackson seconded the motion. All voted yes, and the motion passed. Ms. Peck reported that she had received a response from Raven Rock Mountain Complex confirming maintenance of Cove Hollow Road and section of Harbaugh Valley Road. She distributed a copy of the letter to the Supervisors and the Solicitor. The Treasurer stated that the Tax Collector is requesting payment for attendance at the ACATO conference. She went on to report that the Second-Class Township Code Section 1401. "b" and "c" allows the tax collector and others \$50 for attending, plus mileage, registration fee and some other expenses. Mr. Bostek made a motion to pay the tax collector the allowed fees. Mr. Jackson seconded the motion. All voted yes, and the motion passed. Ms. Peck reported that there were several upcoming trainings that would be beneficial to a new supervisor and asked the Board to consider authorization to pay for incoming/newly elected Supervisors to attend training prior to taking office. After some discussion and noting the word "elected" in the Second-Class Township Code section referring to training, it was interpreted that this is allowed. Mr. Jackson made a motion to approve training for the newly elected Supervisor prior to taking office. Mr. Barlow seconded the motion. All voted yes, and the motion passed.

Police Dept.: Chief Hansen reported that the department continues with speed enforcement and truck traffic enforcement. Mr. Bostek commented that it seemed that there was less truck traffic and he thanked the Chief for changing her schedule to be at the meeting today.

OLD BUSINESS:

- **Treasurer Bond Claim** – Mr. Bostek stated that the Board had an Executive Session prior to the meeting to discuss the bond claim.
- **Consider Advertising Proposed 2020 Budget**– Prior to advertising the proposed budget, the board must agree on a budget. Currently the budget has several line items on which the Supervisors disagree. Mr. Bostek read through the line items in the budget and called for votes on items where the Supervisors were not in agreement.

The Supervisors reviewed the Proposed 2020 General Fund Budget:

- 01.402.11 Elected Auditor Compensation:** Mr. Jackson commented on the importance of having monthly reviews of the Township Finances by the elected auditors in addition to the annual audit performed by the CPA firm. Mr. Jackson made a motion to budget \$1,000 total annual budget for the Elected Auditor compensation. Mr. Barlow seconded the motion. Mr. Bostek recused himself. Mr. Barlow voted yes. Mr. Jackson voted yes. The motion passed.
- 01.404.10 Solicitor/Legal Fees:** There was some discussion about the need to increase the legal fees from the 2019 budget and comments were made that the legal fees may be less next year since it seems the bond claim may be resolved soon. Mr. Jackson made a motion to budget \$20,000 total annual budget for the Solicitor/Legal Fees. Mr. Bostek seconded the motion. All voted yes, and the motion passed.
- 01.405.13 Secretary/Wages:** Mr. Bostek talked about the Secretary's wages. He noted that the budget reflects a 40-hour work week and the Secretary currently works an average of 36 hours. He stated he would like to reduce the budgeted amount for the Secretary. Mr. Jackson commented that he would like to keep the amount budgeted and if needed the extra amount could be used to employ a part-time back up Secretary/Treasurer who is qualified to do the work in the absence of the Secretary/Treasurer. Rich Luquette 710 Boyle Rd asked if the budget sets the current Secretary's wages. Mr. Lisko responded that the Secretary's salary is set at the Annual Organization meeting in January and not by the budget. Mr. Jackson made a motion to budget \$45,052 total annual budget for Secretary Wages. Mr. Barlow seconded the motion. All voted yes, and the motion passed.
- 01.430.14 Road Crew Seasonal Wages:** - Mr. Barlow talked about the need to increase the amount budgeted for additional road crew and described some of the road work that requires two people to accomplish. Mr. Jackson commented that the roadwork will be covered in the Liquid Fuels Budget. Mr. Jackson made a motion to budget \$3,000 total annual budget for the Road Crew Seasonal Wages. Mr. Bostek seconded the motion. Mr. Jackson voted yes. Mr. Bostek voted yes. Mr. Barlow voted no. The motion passed.
- 01.301.10 Current Year Real Estate Tax:** - The Board of Supervisors discussed the amount of real estate tax needed to balance the budget and reviewed the proposed increases. Mr. Bostek proposed no increase and proposed to use reserve funds to balance the budget. Mr. Jackson proposed a 0.1125 mil increase of \$18,238 and use reserve funds for the remaining amount to balance the budget. Mr. Barlow proposed a 1 mil increase of \$162,308.91 and proposed using \$96,337.44 of the amount to perform road work. There was much discussion about the proposed amounts. After some discussion of the intent of last year's increase, Mr. Jackson proposed a 0.125 or 1/8 mil increase. Mr. Barlow spoke about the need for road repairs and the cost of the Police Department. Mr. Bostek commented that he sees a need for a tax increase but knows that the budget can be reopened in January and there may be more tax increases. Mr. Jackson made a motion to increase the real estate taxes by 0.125 mil and balance the budget with a transfer from the General Reserve Account. Mr. Bostek seconded the motion. Mr. Bostek voted yes. Mr. Jackson voted yes. Mr. Barlow voted no. The motion passed.

The Supervisors reviewed the Proposed 2020 Liquid Fuels Budget:

35.439 Hwy Construction and Rebuilding. Mr. Jackson and Mr. Bostek had both proposed a budget of \$77,871.33. Mr. Barlow proposed a budget of \$322,871.33 which included an additional \$8,000 for canopy trimming in line item 438.05 and an additional \$236,000 for 35.439 – Hwy Construction and Rebuilding. Mr. Jackson made a motion to propose the 2020 Liquid Fuels budget for a total of \$77,871.33. Mr. Bostek seconded the motion. Mr. Jackson voted yes. Mr. Bostek voted yes. Mr. Barlow voted no. The motion passed.

In summary, the 2020 General Fund budget was proposed at \$349,902.47 and the 2020 Liquid Fuels budget was proposed at \$77,871.33. Both would be advertised as available for review and consideration for adoption at the December 17 Workshop meeting.

- **2016-02 Driveway and Street Excavation Ordinance Amendment Follow Up From April 16 Meeting** – Mr. Lisko noted that this item was placed on the agenda for purposes of public record because it was brought up in April but resolved itself outside of a meeting. On April 16 Mr. Bostek raised concern over the wording "reserves the right to require the owner" and he asked the

Solicitor to amend the Driveway and Street Excavation Ordinance to clearly state the responsibilities of the homeowner. After reviewing the ordinance, Mr. Lisko determined it was currently clearly stated and no amendment was needed.

- **Grand History Bike Trail** – Mr. Bostek added an item to the agenda. He stated that he suggested at a previous meeting that Planning Commission member Rich Luquette take over representing Liberty Township at the Grand History Trail Bike Path meetings, but no official action had been taken. Mr. Bostek made a motion to appoint Rich Luquette as the Liberty Township Representative at the Grand History Trail Bike Path meetings. Mr. Jackson seconded the motion. All voted yes, and the motion passed. Mr. Luquette commented that there would be a public meeting about the bike path in January.

NEW BUSINESS:

At 12:12 Mr. Bostek made a motion to recess the workshop meeting and open the Zoning Ordinance Amendment Hearing. Mr. Barlow seconded the motion. All voted yes and the hearing began. A hearing was being held for Ordinance 2019-03 Amending the Liberty Township Zoning Ordinance Section 112 and Section 412 regarding campgrounds. Mr. Lisko explained that anyone wishing to make comments during the meeting should stand and be sworn in. No one participated. There were no comments. At 12:13 PM Mr. Bostek made a motion to close the hearing. Mr. Jackson seconded the motion. All voted yes, and the motion passed.

At 12:14 The Workshop Meeting Resumed.

NEW BUSINESS CONTINUED:

- **Ordinance 2019-03 Amending the Zoning Ordinance** - Mr. Barlow made a motion to adopt Ordinance 2019-03 Amending the Zoning Ordinance. Mr. Jackson seconded the motion. All voted yes, and the motion passed.
- **Chief Hansen End of Employment Probation** - Mr. Barlow made a motion to permanently hire Chief Sherri Hansen. Mr. Jackson seconded the motion. All voted yes, and the motion passed.
- **Conditional Use Hearing Decision** – Mr. Lisko asked the Board to review the Conditional Use Hearing Finding of Facts document that he provided and consider a motion for approval. Mr. Barlow made a motion to approve the Conditional Use Hearing Finding of Facts and related documents. Mr. Jackson seconded the motion. All voted yes, and the motion passed. The Secretary was instructed to mail the documents to the applicant.
- **Consider CPA Firm Proposals** – The Supervisors considered proposals from SEK and Hamilton & Musser, PC, CPAs to perform the 2019 audit. Mr. Bostek commented that he recommends keeping SEK until the bond claims are settled noting that additional cost would be incurred if they were called to give evidence. Mr. Bostek made a motion to appoint Smith Elliott and Kearns to perform the township audit for 2019. Mr. Barlow seconded the motion. All voted yes, and the motion passed.
- **Community Media Request for Franchise Fee Distribution** – Mr. Jackson commented on Community Media's recent request for donations and their public presentation that took place earlier in the year. After some discussion that concluded that Community Media failed to give evidence of value to the Liberty Township community, Mr. Jackson made a motion that Liberty Township offer no support to Community Media. Mr. Barlow seconded the motion. All voted yes, and the motion passed.
- **Pennsylvania Prison Society – Richard Swiat Request for Donation** – Mr. Bostek spoke of a request that Mr. Swiat made at a previous meeting to ask that the Township consider supporting the Pennsylvania Prison Society with a donation. Mr. Bostek referred to the Second-Class Township Code and stated that it did not allow donating to that type of organization.

Adjourn: At 12:26 PM Mr. Bostek motioned to adjourn the meeting. Mr. Barlow seconded the motion. All voted yes, and the meeting was adjourned. The next Board of Supervisors meeting will be held on Tuesday, December 3, 2019, at 7:30 PM at the Township Municipal Building.

Respectfully Submitted,



By Wendy Peck, Secretary/Treasurer