

**HALIFAX TOWNSHIP
BOARD OF SUPERVISORS
MONTHLY BUSINESS MEETING
JUNE 10, 2013**

CALL TO ORDER: Chairman Bechtel called the meeting to order at 7:03 p.m. followed with the Pledge of Allegiance.

ROLL CALL: Supervisors Bechtel, Bruner, Hoover, Paul and Shultz are present. Solicitor Bruce Warshawsky, Engineer Tom Wilson and Secretary/Treasurer Carolyn Nye are present. Corey Stazewski Roadmaster is on vacation.

RECORDING MEETING: The Secretary is the only individual recording the meeting.

EXECUTIVE SESSION: None.

PUBLIC COMMENT PERIOD: **Chris Kinsinger** stated he is against lowering the fine regarding the Sycamore Tree Ordinance. He feels this is not sufficient. **Michael Snody** spoke about the Middle Road water issue. He indicated Larry Kauffman put in a buffer which did help at that time. But there is still erosion taking place. Supervisor Paul and the Roadmaster visited the site and indicated work needs to be done. Supervisor Paul stated the existing pipe is not on township right-of-way. **Robert McBurney** defers comment at this time. **Flo Mallonee** spoke against the original fine in the ordinance and indicated there are sycamore trees that are obstructing site distance. She asked if someone would check into trimming the trees. **Fred Ford** feels the proposed fine is appropriate and stated the trees are dangerous and dirty. **Frank Wilmarth** introduced Robert Ronngren who helps with the work at the park. Frank feels the fine should be set high enough to cover any cost of willful destruction. **Norma Shearer** prefers not to change the fine due to what she feels would deter a developer from taking them down. **Robert Ronngren** has nothing at this time. **Deborah Weiner** has no comment. **Eileen Snyder** agrees with proposed sycamore tree ordinance change regarding the fine. She was against the Township taking down the healthy and stronger oak trees to plant more sycamores.

SECRETARY/TREASURER REPORT: **Paid Interim Bills** – Supervisor Hoover made a motion to approve the payment of the interim bills, seconded by Supervisor Bruner, vote called, motion carried 5-0. **Current Unpaid Bills** – Supervisor Hoover made a motion to authorize payment of the unpaid bills, seconded by Supervisor Bruner, vote called, motion carried 5-0. **Minutes** – Supervisor Paul made a motion to approve the May 13, 2013 minutes as written, seconded by Supervisor Hoover, vote called, motion carried 5-0. **Financial Report** – The Board reviewed the report and had no questions.

EMC REPORT: No report from the EMC. Chairman Bechtel stated he had received a phone call from Reed Township regarding their concern about the ALS issue. As of June 1, 2013 the life team has a unit housed at the ambulance building. The Board agreed to table any further discussion/actions pertaining to this issue at this time.

PLANNING COMMISSION RECOMMENDATION: Flo Mallonee provided a report on the Planning Commission meeting of June 3. Flo indicated she attended a meeting at PennDOT along with representatives of Members 1st Federal Credit Union, Sheetz, Supervisors Bechtel and Hoover, Sewer and Water Representative Fred Ford, the township engineer and the solicitor to discuss issues and concerns relating to the Members 1st Plan and the intersection in Halifax. There is a new Planning Commission board member who is Dwight Hoffman. The Planning Commission recommended the Board approve the Ivan Bechtel Stormwater Management Plan

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extension. **Motion:** Supervisor Bruner made a motion to approve the extension, seconded by Supervisor Paul, vote called, motion carried 5 -0.

ENGINEER REPORT: The Engineer went over his June 4, 2013 report. Tom reported on the Act 167 SWM Plan in which the conservation district submitted the plan to DEP and there will be a public hearing on this. Tom feels that Option 2 is the preferred option.

SOLICITOR REPORT: The solicitor gave his June 4 report. **PennDOT Meeting** – The Solicitor indicated we will be in a waiting mode pertaining to Members 1st and Sheetz. A traffic study plan will be submitted. The turn arrow issue/concern was addressed and it appears that Members 1st is in favor of doing something with this. **Lenker Development Agreement** - This allows Mr. Sweigard to come in at a later date without prejudice to seek an agreement with Mr. Lenker and does not have any adversarial affect on the Township. **Motion** – Supervisor Hoover made a motion to approve the agreement, seconded by Supervisor Bruner, vote called, motion carried 5-0. **Nuisances – Seiler: Motion** - Supervisor Shultz made a motion to have the permit officer assess on or after June 27 and if conditions are not acceptable, the Board can authorize to proceed with a complaint to the District Justice, seconded by Supervisor Bruner, vote called, motion carried 5-0. **Dunkle School Road** – The Kline’s are slowly cleaning up the property. The Board will allow more time until the end of the month before it is assessed again. A decision can be made at the next meeting. No action at this time.

Hoffman SWM Application – Upon receipt of the approved application, the Board can execute. The Solicitor stated the plan will have to be recorded and the cost of recording passed along to the Hoffmans.

ROADMASTER REPORT: A report is supplied. No comments or actions taken.

ADMINISTRATIVE: None

FT. HALIFAX PARK COMMITTEE REPORT: Supervisor Shultz reported on the May 28th, 2013 committee meeting. Attendees – Frank Wilmarth, Randy Paul, Gary Shultz, (Dane Snyder unable to attend). Items discussed- 1. Fort Halifax sign repair and modification. (Approval from the committee) 2. Labeling different tree specimens for identification. Small tags and small aluminum nails (Approval) 3. Repair picnic tables. (Approval) 4. FoFHP(Friends) would like to assume responsibility for insurance and maintenance of Park Buildings. (BOS action required) 5. Future “ Appalachian Wagon Train” and or Scout camping. [2015] (Recommended to BOS for approval)6. Constructing and maintaining trails along the Armstrong and Susquehanna water ways. (recommended)7. Clearing brush from Wisconisco Canal. (Approval)8. Temporary storage of a 4 wheeler for poison ivy spraying. (Approval)9. Park Rules modifications in wording and content. (Pending further information and study)10. Status of petition for Ag-use waiver. (Tabled)11. Possibility of coordinating mowing with Corey for different possibilities. (Will talk with Corey)12. Improvements for BPR (Field trip directly after meeting) 13. Additional Bluebird houses. (Approval)14. Reconsider Volunteer Park Worker Waiver Form. (To be checked) The supervisors approved the additional blue bird houses. The work waiver form needs worked out. The pipe issue will be looked into by Supervisor Paul regarding any cement work. The Board requests details on the trail issue. The spraying issue is a concern. It was stated by the Board that Corey indicated previously he would like to go to a course for spraying. The Solicitor indicated it is not a good idea for a non-employee to do spraying. Chairman Bechtel talked about the fields and mowing them. He sees a lot of weeds and no good coverage for habitat. It was the consensus of the Board to continue with the mowing as has been

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done until a time when and if the fields are seeded with the proper grasses. Supervisor Hoover asked for clarification on surveying done at park. Frank Wilmarth explained the survey entailed the building envelope. Supervisor Hoover stated he would like to see from this point forward all issues be brought before the Board for decisions. In regards to insurance and maintenance on the buildings, it was suggested Tom Troutman should be consulted. The Solicitor stated the Township can secure the insurance and the Friends of Ft. Halifax can then pay the bill if this is what is agreed upon. As far as maintenance, the Solicitor suggested indemnification for insurance. He indicated this should be entirely gratuitous. The wish of the Board was to receive emails from the Ft. Halifax Park Committee to look over and prepare for the following Board meeting.

SEO REPORT: A report was received from Light-Heigle for work done in May. Flo Mallonee commended Light-Heigle for the SEO work being done for the township.

OLD BUSINESS: Price Road – Previously the Engineer provided the Board with a cost for improvement of the road. The Board reviewed this along with a proposal from Supervisor Paul. After much discussion the issue was tabled.

Cedars Security Bond Release – The Township received official notification. The Solicitor suggested a memorandum of understanding be drafted and sent to Cedars Shopping Center.

Motion: Supervisor Bruner made a motion to authorize the Solicitor to draft a Memorandum of Understanding to accommodate Cedars in ending their bond, seconded by Supervisor Shultz, vote called, motion called 5-0.

Sycamore Tree Ordinance – The ordinance was properly advertised. **Motion:** Supervisor Hoover made a motion to waive the reading of the amended ordinance, seconded by Supervisor Bruner, vote called, motion carried 5-0. The Solicitor stated the modified provision is pertaining to Part 9 Violations and Penalties. The original ordinance had a violation figure of \$7,500 for each violation and a continuing violation of \$500 per day and in 2007 an amendment was passed to include a provision for damages which was a fine of \$22,500.00 for willful destruction. This modification changes the violation from \$7,500 to a provision up to \$500. The willful destruction fine is up to \$1,500.00. **Motion:** Supervisor Hoover made a motion to approve the amended ordinance, seconded by Supervisor Paul, under discussion the Solicitor stated there was the permit fee and application previously passed for individuals who are interested in modifying the trees. This was part of the original ordinance; however, no permit or application fee was ever established. Now there is the formal process in place for any individual to make an application which is subject to the Board's approval. The Chairman stated the trees have a certain life span and some are not in good condition and there is some concern about the safety of the trees. Most of the trees are on the PennDOT right-of-way. Ideas were discussed to preserve the Sycamore Tree Allee in lieu of trees reaching their life span and dying off and the need to remove them because of safety issues etc. Chairman Bechtel stated there is site distance issues with some of the trees. Supervisor Bruner brought up the idea of making a provision to include replacement of the tree(s) when subject to willful destruction. The Solicitor stated if the Board's interest is to make a major change such as Supervisor Bruner brought up, then he would suggest not passing this motion tonight. **Motion:** Supervisor Shultz made a motion to table this issue tonight, seconded by Supervisor Bruner, vote, motion carried 4-1. **Motion:** Supervisor Bruner made a motion to bring back the proposed Sycamore Tree Amended Ordinance for a vote, seconded by Supervisor Hoover, vote called, motion carried 4-1. Chairman Bechtel stated the original motion which was made and seconded to approve the amendments is back on the table, vote was called, motion carried to approve the amendments 4-1 abstention.

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HARA Response Letter – The letter of notification was sent to HARA stating as of December 31, 2013 Halifax Township will no longer have the agreement with them. HARA's response letter was reviewed and no action taken in response to the letter. The Solicitor stated the Board can decide in the next budget meeting what to appropriate regarding funds to HARA

NEW BUSINESS: Noise Ordinance – A sample noise ordinance was provided to the Board to review and consider. **Motion:** Supervisor Paul made a motion to authorize the Solicitor to investigate and prepare a noise ordinance, seconded by Supervisor Bruner, vote called, motion carried 5-0.

Patriot Energy Renewal – Supervisor Paul made a motion to accept the Patriot Energy 12 month fixed rate contract with a rate of .08165 kwh, seconded by Supervisor Bruner, vote called, motion carried 5-0.

2012 Audit Report – Supervisor Bruner, the secretary and roadmaster will go over the auditor's recommendations. A response to the auditors will then be made.

Ag Security Area – Chairman Bechtel went over the history of the Ag Security Program and stated it protects against nuisance ordinances and eminent domain. The time has passed for a formal committee review. The Board agreed that before the end of the year to do a resolution as was done in last number of years and process any new or changed applications submitted which would require a filing fee. The Secretary was instructed to do a press release with the Upper Dauphin Sentinel stating the Township is accepting applications for Ag Security. Melinda Warfel volunteered to be contact person named.

AGENDA ITEMS FOR NEXT MEETING: Audit, Noise Ordinance and Bechtel SWM Application.

ANNOUNCEMENTS: Planning Commission Meeting July 1 at 7 p.m. and Township Meeting July 8 at 7 p.m.

ADJOURNMENT: Supervisor Shultz made a motion to adjourn at 10:02 p.m., seconded by Supervisor Paul, vote called, motion carried 5-0.

Respectfully Submitted,

Carolyn Nye
Secretary