

**HALIFAX TOWNSHIP
BOARD OF SUPERVISORS
MONTHLY BUSINESS MEETING
DECEMBER 9, 2013**

CALL TO ORDER: Chairman Bechtel called the meeting to order at 7 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, Roadmaster Corey Stazewski and Secretary Carolyn Nye are present.

RECORDING MEETING: The secretary is the only individual recording this meeting.

EXECUTIVE SESSION: Chairman Bechtel announced an executive session on November 25, 2013 from 6:30 to 7:30 p.m. regarding litigation.

PUBLIC COMMENT PERIOD: Chairman Bechtel called on the following individuals: **Flo Mallonee** who deferred comment at this time. **Fred Ford** who thanked Supervisors Shultz and Hoover for their service. **Frank Wilmarth** will provide his report under Park Committee Report. **Marty Sowers** who is a building code manager from Light-Heigel, Inc. and provided information on Light-Heigel's services. Marty indicated there will be no change in the fees. The Solicitor asked Marty if Light-Heigel has any input when a building permit is issued and is not in compliance with a plan. Marty indicated Light-Heigel does not address this particular issue but depends on the township via the application signed by the Roadmaster.

SECRETARY/TREASURER REPORT: **Paid Interim Bills** – Supervisor Hoover made a motion to approve the interim bills, seconded by Supervisor Paul, vote called, motion carried 5-0. **Current Unpaid Bills** – Supervisor Shultz made a motion to authorize payment of the current bills, seconded by Supervisor Bruner, vote called, motion carried 5-0. **Minutes** – Supervisor Paul made a motion to approve the November 11, 2013 minutes as written, seconded by Supervisor Hoover, vote called, motion carried 5-0. **Financial Report** – Chairman Bechtel made a comment about the increased income tax the Township is receiving this year.

EMC REPORT: No report received.

PARK COMMITTEE REPORT: Frank Wilmarth thanked Supervisors Shultz and Paul for their work on the park committee. Frank indicated there still needs to be work done on the building doors. He asked if the Board was aware of the vandalism pertaining to the broken flag on the sign. The Board is not aware of this. Supervisor Hoover made mention about some trees that were planted in the building envelope without the Board's permission. Chairman Bechtel's issue with these trees has to do with mowing around them and suggested they be removed and maybe planted in another location when warm weather comes back in the Spring. The Board can decide this at a later time. Frank Wilmarth apologized for this and will comply with the Board's suggestion.

PLANNING COMMISSION RECOMMENDATION: Flo Mallonee gave a report of the Planning Commission Meeting of December 2, 2013. She indicated the Planning Commission will meet January 7 at 7 p.m. for their reorganization and regular meeting. The Planning Commission except for Flo Mallonee who recused herself recommended to the Board to approve the Mallonee Storm Water Maintenance Plan waivers and remove the Operation and Maintenance Agreement from the packet which is not needed for this plan. The Planning Commission recommended that the Board approve the Sheetz Plan contingent upon Tom Wilson's review. **Mallonee SWM Plan Motion:** Supervisor Hoover made a motion to grant the waivers, approve the plan and remove the Operation and Maintenance Agreement which is not necessary with this plan, seconded by Supervisor Bruner, vote called, motion carried 5-0. **Sheetz Plan – Motion:** Supervisor Hoover made a motion to approve the Sheetz Plan. The motion dies for a lack of a second. Chairman Bechtel stated he attended a meeting at PennDOT on Friday, December 6th along with Supervisor Hoover, the Solicitor, Engineer and

Halifax Township Board of Supervisors' Meeting December 9, 2013

representatives from Sheetz to discuss a left turn signal and the Board's concern about the right-of-way issue at the intersection pertaining to the Schlegel property. Supervisor Bruner stated the right-of-way issue at the Schlegel property needs to be resolved before PennDOT will issue a HOP to Sheetz. PennDOT created this problem by paving a section of Mr. Schlegel's frontage, installing signs without an easement agreement and wants the Township to remedy the problem. The Solicitor indicated PennDOT officials need to re-visit the facts pertaining to this. The remedy would be to either institute eminent domain or approach the owner and pay a sum for the property which would obtain the necessary right-of-way. Chairman Bechtel stated the Township thought PennDOT secured the easement regarding the Schlegel property but found it was never done by PennDOT. Regarding the left turn signal issue, Chairman Bechtel stated he mentioned to PennDOT the concerns the township has regarding this and stated to them that if the Reinhard property at the corner of 147 and Parmer Drive gets developed in the future a left turn signal would be necessary anyway. PennDOT's response was they will deal with it then. Representatives of the Sheetz Plan gave an explanation of PennDOT regulations regarding the traffic light signaling criteria. Mr. Brubaker the HRG engineer representing the plan stated HRG submitted a traffic impact study to PennDOT. **Motion:** Supervisor Bruner made a motion to postpone the plan until the January 13 meeting, seconded by Supervisor Shultz, vote called, motion carried 4-1.

ENGINEER REPORT: Tom Wilson read his report. **Kiner LD Plan** – All comments addressed. Plan is ready for signature. **Middle Road – Motion:** Supervisor Hoover made a motion to authorize Corey to place a sign indicating "Narrow Road" along the road, seconded by Supervisor Bruner, under discussion Chad Lebo had a concern depending on where the sign is placed, it may be vandalized. Corey will check with Upper Paxton Township to get permission to put the sign at a point in their township before entering the Halifax Township line, vote called, motion carried 5-0. Chairman Bechtel stated he had someone call him about a hidden driveway issue at Peters Mountain. The individual indicated PennDOT said a traffic study may need to be done. Corey will check into this.

SOLICITOR REPORT: DONCO/Sweigard – Mr. Sweigard's attorney submitted a petition to intervene and DONCO has objected to the intervention. The Township has agreed to not object to the intervention. **Sweigard Appeal** – Mr. Sweigard filed an appeal of the Township's October decision. Attorney Sherr will be responding to this appeal based on decision was not a land use position upon which an appeal may be taken and that Mr. Sweigard's objections are more properly heard in the DONCO intervention. **Right-to-Know Appeal** – This may be a dead issue due to appeal not being filed to Solicitor's knowledge but will inform the Board when he gets more information. **UDITO Litigation** – There is a December 19th hearing with Judge Bratton. Susquehanna Bank backing off with paying the attorney fees. The Solicitor will report back to the Board when he has more information. **Nuisances: Geoffrey Brothers** – The property is slowly being cleaned up and will continue to be monitored. **1059 North River Road** – A certification of judgment was filed against Mr. Harman who lives in Schuylkill County and a nuisance letter under the new nuisance ordinance was sent to the new owners, Revelation Realty, who received the letter and sent back the certified mail notification card. Cleanup is slow. The Board deferred this to the January meeting. **Noise Ordinance Procedure – Motion:** Supervisor Paul made a motion to set a procedure, i.e. upon the first complaint the Township will send the alleged violator a letter noting the allegation and site the township noise ordinance and indicate the township may randomly monitor the noise level, upon a second complaint the township will attempt to verify the violation, if found, the nuisance officer will report this to the Board of Supervisors who may prosecute based on circumstances and any party found to have violated on multiple (more than 1) occasions, the Township will prosecute, seconded by Supervisor Bruner, vote called, motion carried 5-0.

ROADMASTER REPORT: Corey provided his report to the Board. He would like authorization from the Board to bid for stone/anti-skid which will allow for a lower cost. **Bid for Anti-skid/stone - Motion:** Supervisor Bruner made a motion to authorize the Roadmaster to bid for the anti-skid stating the right to reject any or all bids, seconded by Supervisor Paul, vote called, motion carried 5-0. **Dirt and Gravel Road Grant** –

Halifax Township Board of Supervisors' Meeting December 9, 2013

Supervisor Bruner made a motion to authorize Corey to apply for the grant, seconded by Supervisor Paul, vote called, motion carried 5-0.

ADMINISTRATIVE: The Engineer and Solicitor asked if there is a need for them to attend the reorganization meeting. The Board indicated there is no need for them to attend. Chairman Bechtel announced a Tax Collector Commission was appointed consisting of Supervisor Shultz, Melinda Warfel, James Markel and Scott McBurney. **Supplemental Appropriations Resolution: Motion:** Supervisor Bruner made a motion to waive the reading of the resolution, seconded by Supervisor Paul, vote called, motion carried 5-0. **Motion:** Supervisor Hoover made a motion to approve the resolution, seconded by Supervisor Bruner, vote called, motion carried 5-0.

SEO REPORT: A report was submitted to the Board. There were no comments.

OLD BUSINESS: 2014 Budget – Motion: Supervisor Shultz made a motion to approve the 2014 budget, seconded by Supervisor Hoover, under discussion Chairman Bechtel asked if there is a need to have a statement regarding the LST to go for emergency services, the Solicitor stated a statement can be noted on the budget, Supervisor Shultz motioned to amend the motion to add a footnote to the approved budget to indicate that 25% of the LST funds will be going for emergency services, seconded by Supervisor Hoover, vote called, motion carried 5-0. **Tax Resolution – Motion:** Supervisor Hoover made a motion to waive the reading of the resolution, seconded by Supervisor Bruner, vote called, motion carried 5-0. **Motion:** Supervisor Shultz made a motion to approve the tax resolution, seconded by Supervisor Hoover, vote called, motion carried 5-0. **Lenker Deed of Dedication Review Results/Action –** DONCO needs to respond to the estimates. The maintenance bond needs agreed upon and the as-built plan has not been received by the Sewer and Water Authority as yet. **Lenker Club House Review Results –** The building permit needs to be compliant with an approved plan. Building permits were already issued in 2011. Mr. Lenker wants to take two lots and build a club house and not single family homes. The Township can require Mr. Lenker to submit a plan showing what they did as a reverse subdivision or allow them to keep as is and place certain requirements/restrictions on them. Mr. Lenker intends to tear down the clubhouse in fifteen years and build homes on these two lots. The Board will postpone this discussion for the January meeting. **Tax Collector –** Supervisor Shultz stated he sent out an email regarding James Markel's proposed schedule for tax collection. The dates will be posted on the door and the website.

NEW BUSINESS: Bob Artman – Powells Creek Upgrade – Chairman Bechtel read Bob Artman's resignation letter. **Motion:** Supervisor Bruner made a motion to accept the resignation, seconded by Supervisor Hoover, vote called, motion carried 5-0. **Tax Committee –** Chairman Bechtel stated this should be addressed at the reorganization meeting. He feels Bob could stay on this committee but the Township should have a Halifax Township representative to also serve on the committee. Tabled for the January 7 Reorganization Meeting. **2014 Meeting Dates – Motion:** Supervisor Bruner made a motion to advertise the 2014 meeting dates, seconded by Supervisor Paul, vote called, motion carried 5-0. **Fire Company Agreement –** The agreement ends December 31 but automatically renews if there are no changes. Chairman Bechtel will talk to the Fire Chief to see if the Fire Company wants to submit proposed changes of any kind. **Pilot Representative/Quail Commons –** Chairman Bechtel informed the public that he, Supervisor Bruner, Solicitor Bruce Warshawsky, Melinda Warfel Tax Collector, Donna Rode, Trudy Withers and Hara Frank school board members met at the school to discuss with a representative of the Tax Assessment Office and Mr. Yoder and his attorney the PILOT (Payment In Lieu of Taxes) program regarding Quail Commons. The Township and the school district were blindsided as to what PILOT entails. Chairman Bechtel stated there was also a meeting at the County December 5 which Supervisor Bruner requested with the Commissioners regarding PILOT. Attending the meeting were two Commissioners, one of them was on conference call for the meeting, Chairman Bechtel, Supervisor Bruner, Bob Hassinger the Halifax School District Superintendent, Mike Bower the Halifax School District Business Manager, Donna Rode, Trudy Withers and Hara Frank Halifax School District Board

Halifax Township Board of Supervisors' Meeting December 9, 2013

members, Melinda Warfel Tax Collector, Skip Memme of DCED, George Connor, Steve Howe Director of Tax Assessment and Jeff Engle Solicitor for Tax Assessment. Chairman Bechtel stated they found out the Quail Commons low income project was previously given approval by the County. According to Mr. Yoder the Dauphin County Commissioners previously approved a \$93,000 plus grant to go to Quail Commons. PILOT has to do with a tax reduction for the new owner, Mr. Yoder, of Quail Commons in the Lenker Development. PILOT results in about a 70% real estate tax income reduction involving the Township, the Halifax School District and Dauphin County. As far as tenants the requirement will be for the homes to be rented for a minimum of 15 years and possibly up to 30 years and the individual renting at the end of the 15 years can purchase the home and the home comes back on the tax rolls. The best option at this time is to have a meeting with Mr. Yoder and negotiate for a better offer than what exists now regarding the tax reduction. Chairman Bechtel suggested township and school district representatives should meet with Mr. Yoder to discuss and negotiate this issue. Also it was discussed at the County the idea of setting up a meeting with our State Representative, State Senator, PSATS and Pa. Housing Finance to discuss this issue and how it will impact us and discuss a remedy for the future. **Motion:** Supervisor Shultz made a motion to appoint Steve Schreffler and Supervisor Bruner to the PILOT committee, seconded by Supervisor Hoover, vote called, motion carried 5-0.

Auditors –Motion: Supervisor Hoover made a motion to appoint Gwenn Corsnitz and Rob Wentzel as auditors, seconded by Supervisor Shultz, vote called, motion carried 5-0.

Ag Security Resolution – Motion: Supervisor Bruner made a motion to waive the reading of the resolution, seconded by Supervisor Hoover, vote called, motion carried 5-0. **Ag Security Resolution/Applications for Additions – Motion:** Supervisor Bruner made a motion to approve the resolution and the two applications and forward to Dauphin County Recorder of Deeds, seconded by Supervisor Hoover, vote called, motion carried 5-0.

AGENDA ITEMS FOR NEXT MEETING: Nuisance at 1059 North River Road and Lenker Club House.

ANNOUNCEMENTS: Planning Commission Reorganization Meeting/Regular Meeting January 7 at 7 p.m. Township Reorganization Meeting January 6 at 7 p.m. and Township Board of Supervisors' Monthly Meeting January 13 at 7 p.m. Chairman Bechtel extended his appreciation to Supervisors Shultz and Hoover for their dedication and service to this township.

ADJOURNMENT: Motion – Supervisor Shultz made a motion to adjourn at 10:13 p.m., seconded by Supervisor Hoover, vote called, motion carried 5-0.

Respectfully Submitted,

CarolynNye
Secretary