

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

**September 4, 2018 Meeting Minutes**

The Board of Supervisors of Liberty Township, of Adams County, met Tuesday September 4, 2018 at 7:30 PM at the Liberty Township Municipal building.

**PRESENT:** Chairman John Bostek, Vice Chairman Bob Jackson, Supervisor Walter Barlow, Solicitor John Lisko, Chief Brand Briggs, Roadmaster Brian Arentz, Special Counsel Zack Mills, and Secretary/Treasurer Wendy Peck.

At 7:30 Mr. Bostek called the regular meeting to order and opened the meeting to public comment.

**PUBLIC COMMENTS:**

- **Cindy Arentz 1734 Tract Road** stated that she had a question for the attorney regarding District Attorney Brian Sinnett. She stated that in communications with DA Sinnett, the District Attorney stated that the investigation regarding Former Secretary Treasurer Shaffer was not closed as the Township previously reported. Zach Mills answered the question by stating there was a miscommunication on the matter. He stated that he spoke to the lead investigator PA State Police Trooper Wolfe. Mr. Mills stated that there was a miscommunication and now it is resolved.
- **Rich Luquette 710 Boyle Road** stated that he was concerned that some numbers at the last BOS meeting were miscalculated resulting in reporting an inflated cost per resident for the alleged missing funds. **Bobbie Keilholtz 24 Steelman Marker Road** commented that he was the one who reported the numbers and realized the miscalculation after the meeting ended. He went on to indicate that no matter the amount, the alleged theft of taxpayer dollars was still a concern. Mr. Luquette asked the Supervisors if there were any plans to discuss the itemized cost to pursue the issue.
- **Judie Hogan 685 Friends Creek Road** thanked Chief Briggs and Roadmaster Arentz for providing services and assisting at her home during a storm on June 5. She stated that it was good service from the Township.
- **Mr. Dobson 7 Kelly Trail** commented that there was a lot of truck traffic on Bullfrog Road. He reported that he was nearly run off the road at one point and appealed to the Township to repaint center lines on the roads.
- **Cindy Arentz 1734 Tract Road** reported that a resident was questioning what happened to the McGlaughlin Road ditching that was scheduled for 2018. Mr. Arentz reported that the contractor that was scheduled to do the work had recently lost the project manager which caused scheduling issues with the project. He stated that it was now postponed until 2019.

**SUPERVISOR COMMENTS:**

- **Mr. Jackson** stated that he received information from the Township Insurance company that listed a summary of claims. He commented on the various claims and noted that \$40,000 had been paid to date in defense of the lawsuit brought against the township by Supervisor Barlow. He indicated a concern that this may cause an increase in future rates. Mr. Jackson spoke of the financial state of the township and said he believed the township was on track and expected to break even by the end of 2018. He noted the two areas of concern in the budget were zoning expenses and Solicitor fees.
- **Mr. Barlow** stated that he believed the Township should send a thank you letter to Representative Dan Moul for his efforts in getting PennDOT to take on the project at the Route 16 and Orchard Road intersection. He also noted that Representative Moul indicated that the petition with over 4,000 signatures was a big help. Mr. Barlow asked Mr. Jackson about the Insurance Claims report he reported on. The Secretary was instructed to get a copy and distribute to the rest of the Supervisors.
- **Mr. Bostek** had no comments.

**MINUTES:** Mr. Barlow made a motion to accept the minutes of the August 8 Regular Meeting. Mr. Jackson seconded the motion. All voted yes, and the motion passed. Mr. Barlow made a motion to accept the minutes of the August 21 Workshop Meeting. Mr. Jackson seconded the motion. All voted yes, and the motion passed.

**TREASURER'S REPORT:** Ms. Peck stated that the Treasurer's Report for July 2018 incorrectly reported the beginning balance as \$88,127.79 for the Highway Aid Fund. A corrected report was submitted with the beginning balance of \$88,201.48. The Treasurer's Report for August 2018 was also submitted.

8/31/2018 interest not available at report time	General - Oper & Payroll Fund	Capital Reserve Fund	PLGIT General Fund	Fire Tax Fund	Highway Aid Fund	Escrow Fund
<b>Beginning Balance</b>	<b>253,091.85</b>	<b>128,200.32</b>	<b>128.01</b>	<b>33,213.70</b>	<b>86,608.26</b>	<b>1,668.87</b>
<i>Interest</i>						
Checks & Payments	-59,708.87	0.00	0.00	0.00	-807.91	-599.70
Deposits & Credits	33,272.74	0.00	0.00	0.00	0.00	1,050.00
<b>Cleared Balance</b>	<b>226,655.72</b>	<b>128,200.32</b>	<b>128.01</b>	<b>33,213.70</b>	<b>85,800.35</b>	<b>2,119.17</b>
Uncleared Transactions	-295.77			0.00	0.00	0.00
<b>Available Balance</b>	<b>226,359.95</b>	<b>128,200.32</b>	<b>128.01</b>	<b>33,213.70</b>	<b>85,800.35</b>	<b>2,119.17</b>

Mr. Jackson made a motion to accept the revised July 2018 Treasurer's Report and the August 2018 Treasurer's Report. Mr. Barlow seconded the motion. All voted yes, and the motion passed.

**EXPENSES:**

It was noted that the Board's August 21 decision to pursue options for obtaining a pre-made concrete pad did not meet the Township's needs. Mr. Jackson made a motion to retroactively approve Sanders Lawn and Beyond to install required 3ft x 3 ft back door concrete pad for \$300. Mr. Barlow seconded the motion. All voted yes, and the motion passed. Mr. Jackson made a motion to pay the 8/28- 9/4 invoices. Mr. Barlow seconded the motion. All voted yes, and the motion passed. Mr. Jackson made a motion to approve the 8/19-9/1 payroll. Mr. Barlow seconded the motion. All voted yes, and the motion passed.

**POLICE OFFICER'S REPORT:** Chief Briggs read his report for August stating that the police department worked 233.5 hours, drove 985 miles, and used 102.8 gallons of fuel. The Chief announced that the next Drug Take Back Event will be held on October 27, from 10 AM – 2 PM at the Carroll Valley Borough Municipal Building. Chief Briggs reported that 323 visitors and participants attended National Night Out on August 7. The Chief reported that he has been communicating with several other municipalities regarding the recent distribution of sandwich bags containing birdseed and literature at properties in the area and that they are looking in to it.

**ZONING OFFICER'S REPORT:** Mr. Bostek reported that six land use permits, and one driveway permit were issued in August totaling \$1,600 in permit fees.

**ROADMASTER REPORT:** Mr. Arentz reported on the month's activities in the Road Department which included driving 685 miles, using 112 gallons fuel. Work included storm damage cleanup, branches, washouts and opening pipes.

**PLANNING COMMISSION REPORT:** Planning Commission Co-Chair Judie Hogan reported that the Planning Commission met on August 21 to review Section 201.5 and has sent its comments to the Solicitor and the Board of Supervisors. The Planning Commission suggests that it would be helpful for the Zoning Officer to attend Planning Commission Meetings when a review of a zoning ordinance is required. The Commission is still working on the *Accessory Building Ordinance Amendment* developing front yard set backs for detached garages, gazebos, etc. The Planning Commission continues to work on updating the SALDO. Mrs. Hogan announced that the Adams County Planning Commission will be attending the September 18 Planning Commission Meeting to discuss Economic Development with the Liberty Township Planning Commission and Supervisors.

**CITIZENS ADVISORY COMMITTEE:** The committee still does not have a quorum and is currently dormant.

**ELECTED AUDITORS:** No Elected Auditors were present and there was no report.

### **OLD BUSINESS**

**The Treasurer Bond Claim Status:** Special Counsel Zach Mills reported that he has received communication from one of the bonding companies requesting additional documents. This time they are requesting that paper copies be mailed to them. There was some discussion between the Supervisors and the Solicitor regarding the cost of producing and shipping the documents. Mr. Bostek made a motion to comply with the request if the bonding company agrees to pay right to know based fees for the documents. The cost would be 25 cents per copy and all shipping charges. Mr. Barlow seconded the motion, and approval was unanimous.

**FEMA Flood Insurance Study:** The Board discussed the FEMA Flood Insurance Study and the recent quote provided by KPI to assist with compliance. It was decided that the Board would postpone any decision to engage KPI until after the official flood maps are issued.

### **NEW BUSINESS**

**2019 MMO for NonUniform Pension Plan & Uniform Pension Plan:** The CAO for the Pension Plans, Wendy Peck, presented the 2019 MMO to the Board of Supervisors. Mr. Jackson made a motion to accept the 2019 MMO for the Non-Uniform Plan at \$7,889 and the Uniform Plan at \$2,954. Mr. Barlow seconded the motion. All vote yes, and the motion passed.

**Appeal Schedule 2018-08-22** – The solicitor explained that the school district and the county would be attending the appeal process and as their interest was greater than the township's, it was most likely not cost effective for the Township Solicitor to also attend the hearings. Mr. Jackson made a motion to not have the Solicitor attend the Appeal Schedule 2018-08-22 hearings. Mr. Barlow seconded the motion. All voted yes, and the motion passed.

**FREMA Deputy Emergency Management Coordinator:** Mr. Jackson made a motion to appoint Adam Wine as FREMA Deputy Emergency Management Coordinator. Mr. Barlow seconded the motion. All voted yes, and the motion passed.

**FREMA Inter-Municipal Agreement Readmitting Hamiltonban Township:** Mr. Jackson made a motion to adopt the new FREMA Inter-Municipal Agreement Readmitting Hamiltonban Township. Mr. Barlow seconded the motion. All voted yes, and the motion passed.

**New Police Department Vehicle:** Chief Briggs presented a spreadsheet containing pricing he had obtained from several Co-Star vendors for the purchase of a new police vehicle. The final costs varied based on trade in values for the 2008 Yukon and the 2008 sedan and delivery. Mr. Bostek made a motion to approve \$28,554.24 to be spent on the purchase of a 2018 Police Interceptor Utility Vehicle from COSTARS approved vendor Tri-Star Ford of Tyrone, Inc. for the final purchase price of \$18,946.00. This transaction includes trade-in of the Liberty Township owned 2008 GMC Yukon VIN # 1GKFK130X8R119241 (PA Title 65548225202 LI) and 2008 Ford Crown Victoria VIN # 2FPAFP71V18X110969 (PA Title 65205230001 LI) with light bar, siren, partition and push bumper installed. Additionally, emergency equipment would be purchased from 10-8 Emergency Vehicle Services for \$6,463, vehicle graphics from C-Ely Signs for \$485, approval of additional costs \$668 and miscellaneous expenses of \$1,992.16. Mr. Jackson seconded the motion. All voted yes, and the motion passed.

**Tree Cutting Ordinance:** The Tree Cutting Ordinance regarding removal of diseased and dangerous trees was discussed. The Solicitor stated that he would review it and make the necessary revisions. Once it is ready, it will be placed on the agenda of the next scheduled meeting.

**Zoning Ordinance Amendments:** Mr. Bostek made a motion to start the process for zoning ordinance amendments. Mr. Barlow seconded the motion. All voted yes, and the motion passed. Once finalized by the Solicitor, the Secretary would send the ordinances to Adams County Planning Commission and the Liberty Township Planning Commission for the formal review process.

**2019 Budget Schedule** – The Treasurer distributed a 2019 budget schedule with preliminary budget numbers submitted by the Road Department and the Police Department. The Supervisors were asked to review the preliminary budget and have input ready for discussion at the September 18 Workshop Meeting. Mr. Jackson took the opportunity to express his concerns with the 2019 budgeting process and asked the other supervisors if they still wished to pursue a forensic audit and

should the estimated \$25,000 to \$30,000 be budgeted for that. There was much discussion on the purpose of additional investigations and the work that had already been achieved by Dr. Frey's updated report issued in 2018. He also asked the Solicitor to project costs that the township would incur for issues surrounding the former Secretary/Treasurer. After much discussion, the Solicitor responded that it would be impossible to predict unknown costs but for lack of a concrete number, the township should at minimum, budget the amount spent in 2018.

**ADJOURN**

At 9:17 PM Mr. Bostek made a motion to adjourn the meeting. Mr. Jackson seconded the motion. All voted yes, and the motion passed.

Respectfully submitted,



By Wendy Peck, Secretary/Treasurer