

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

**December 4, 2018 Meeting Minutes**

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

**PRESENT:** Vice Chairman Bob Jackson, Supervisor Walter Barlow, Solicitor John Lisko, Roadmaster Brian Arentz, and Secretary/Treasurer Wendy Peck.

**NOT PRESENT:** Chairman John Bostek.

Mr. Jackson chaired the meeting. At 7:30 PM, Mr. Jackson called the regular meeting to order and reported that an Executive Session was held on November 13 to discuss the Police Department personnel matters and on November 26 to discuss a septic violation. Mr. Jackson announced that he would permit public comment at the beginning and end of the meeting and opened the meeting to public comment.

**PUBLIC COMMENTS:**

- **Richard Swiat 385 Wenschhof Road** commented that he visited Mr. Bostek in the hospital and reported that he was in good shape.

**SUPERVISOR COMMENTS:**

- **Mr. Jackson** had no comments.
- **Mr. Barlow** had no comments.

**MINUTES:** Mr. Barlow made a motion to accept the minutes of the November 7 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 November 13 Budget Workshop Meeting. Mr. Jackson seconded the motion. All voted yes, and the motion passed. Mr. Barlow made a motion to accept the minutes of the November 20 Workshop Meeting. Mr. Jackson seconded the motion. All voted yes, and the motion passed.

**TREASURER'S REPORT:** Ms. Peck read the Treasurer's Report for the month ending November 30, 2018.

<b>11/30/2018</b>	<b>General - Oper &amp; Payroll Fund</b>	<b>Capital Reserve Fund</b>	<b>PLGIT General Fund</b>	<b>Fire Tax Fund</b>	<b>Highway Aid Fund</b>	<b>Escrow Fund</b>
<b>Beginning Balance</b>	<b>123,491.53</b>	<b>102,936.42</b>	<b>100,128.39</b>	<b>37,585.41</b>	<b>83,177.21</b>	<b>5,080.17</b>
Oct Interest	12.77	21.89	121.85	0.00	137.45	0.00
<i>Nov Interest</i>				<i>0.00</i>		<i>0.00</i>
Checks & Payments	-26,571.98	-6,389.47	0.00	0.00	-5,021.91	-328.00
Deposits & Credits	30,388.09	0.00	0.00	0.00	0.00	1,750.00
<b>Ending Balance</b>	<b>127,320.41</b>	<b>96,568.84</b>	<b>100,250.24</b>	<b>37,585.41</b>	<b>78,292.75</b>	<b>6,502.17</b>

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

**EXPENSES:** Mr. Barlow made a motion to pay the 11/21-12/4 invoices. Mr. Jackson seconded the motion. All voted yes, and the motion passed. Mr. Barlow made a motion to retroactively approve the 11/11-11/24 payroll. Mr. Jackson seconded the motion. All voted yes, and the motion passed.

**POLICE OFFICER'S REPORT:** Mr. Jackson commented that the Township currently has no Chief of Police and that the topic will be covered later in the agenda.

**ZONING OFFICER'S REPORT:** Mr. Jackson reported that three land use permits were issued in November totaling \$750 in permit fees.

**ROADMASTER REPORT:** Mr. Arentz reported on the month's activities in the Road Department which included driving 667 miles, using 110 gallons of fuel. Work included truck maintenance on the break line and lights; cold patching, snow plowing and fixing a washout on Friend's Creek Road.

**PLANNING COMMISSION REPORT:** Planning Commission Vice Chair Judie Hogan reported that the Planning Commission met on November 20 and recommends that the Board consider a motion to conditionally approve Higgins (25000-0043---000) Land Development Plan Submission and conditional approval for Middle Creek Bible Conference (25D16-0005---000) plan submission for a lot addition. The Planning Commission recommends approval for the Middle Creek Bible Conference (25D16-0005---000) Request for Planning Waiver & Non-Building Declaration. The Planning Commission continues to work on the zoning amendment for front yard accessory buildings and review of the SALDO.

**ELECTED AUDITORS:** Richard Swiat stated that the elected auditors met in an unofficial capacity as citizens and tax payers and reviewed the proposed budget. Mr. Swiat stated that while there has been no employee raises or cost of living increase for the employees in 2017, 2018 or 2019, the auditors would like to acknowledge the accomplishments of Secretary/Treasurer Peck. Her efforts have reduced unnecessary expenses such as coffee service and the Auditors recommend that the Board award a one-time bonus from 2018 cash surplus. The Elected Auditors will hold their annual organization meeting on Tuesday, January 8, at 7:30 PM.

### **OLD BUSINESS**

- **The Treasurer Bond Claim Status:** Mr. Lisko reported that Mr. Mills is still working with the bonding companies and that they have recently requested additional information.

*Mr. Jackson noted that the time was 7:43 PM. Because the Zoning Hearing was scheduled for 8 PM, he moved forward on the agenda.*

- **2019 Budget** - It was noted that a public Budget Workshop Meeting was held on November 13 and that the proposed budget was advertised for the required 20 days. Mr. Barlow moved to adopt the 2019 Budget as advertised. **General Fund - \$338,867.47; Liquid Fuels - \$146,440; Capital Reserve Fund at \$93,180; and Fire Tax Fund - \$41,412.** Mr. Barlow commented that he would like to discontinue the budgeted item to reimburse the Tax Collector for the pole light outside of her home since she indicated that she was moving. It was noted that once the Tax Collector moves from 3 Skyline Trail in Fairfield, a motion will be put before the Board to consider discontinuing the pole light electric bill reimbursement. Mr. Barlow also commented that the \$59,500 listed in the General Fund for Police Chief salary does not indicate a starting salary, but the maximum proposed salary for 2019. Mr. Jackson seconded the motion. All voted yes, and the motion passed.

### **NEW BUSINESS**

- Mr. Jackson explained Resolution 2018-09 Real Estate Tax Rate and the 2019 Budget. Mr. Barlow made a motion to adopt Resolution 2018-09 Real Estate Tax Rate increasing the real estate tax rate for general township purpose to 0.69 MILLS. The Fire Tax will remain at 0.25 MILLS and the total Real Estate Tax Rate for 2019 will be 0.94 MILLS. Mr. Jackson seconded the motion. All voted yes, and the motion passed.
- Mr. Jackson spoke about options for Police Services for Liberty Township. The township was considering hiring a new Police Chief and entertaining proposals to contract for police services with another municipality. He also spoke about the option of using the state police. There was much discussion about options for police services between the Supervisors and the public. Mr. Barlow made a motion to hire Mr. Brand Briggs as a part time police officer at the rate of \$28.61 per hour on an as needed basis for administrative duties and court time. Mr. Jackson seconded the motion. All voted yes, and the motion passed.

**At 8:00 PM**, Mr. Barlow made a motion to recess the meeting and hold the Zoning Hearing. Mr. Jackson seconded the motion. All voted yes, and the motion passed.

### **ZONING AMENDMENT HEARING**

- Mr. Jackson gave an overview of the purpose of the Zoning Hearing. He asked that anyone wishing to testify stand and give an oath. The proposed zoning amendments were submitted to the Adams County Planning Commission and the Liberty Township Planning Commission and allowed 45 days for comments. On November 7, the Board passed a motion to advertise the zoning amendments and hearing. Geoff Grant 378 Topper Road, Donna Powers 608 Pecher Road, Barbara Ruppert 271 Crum Road, Judie Hogan 685 Friends Creek Road, Robert Keilholtz, 24 Steelman Marker Road and Agatha Foscatto 45 Oak Grove Drive swore an oath to give testimony.
- Mr. Barlow read the proposed amendment for Section 201.5 Article II for setbacks that are not located in the Development of Conservation Areas, and for any other lots that do not have applicable setbacks in the Conservation District. Mr. Keilholtz asked if the setbacks applied to the Residential and Commercial Zoning Districts. It was stated that those areas are not affected by this change. Mr. Barlow read the proposed amendment for Section 435.1 of Article IV regarding No-Impact Home-Based Businesses. Donna Powers asked if that applies to Airbnb. Mr. Barlow stated that the question should be taken up with the new zoning officer. Mr. Barlow read the proposed amendment for Section 600.3 of Article VI regarding expiration and renewal of Land Use Permits. There was some discussion about land use permit fees. Mr. Keilholtz asked a question about building permits. There were no further comments.

**At 8:17 PM**, Mr. Barlow made a motion to adjourn the Zoning Hearing and reconvene the regular meeting. Mr. Jackson seconded the motion. All voted yes, and the motion passed.

### **NEW BUSINESS CONTINUED**

- Mr. Barlow made a motion to approve the amendment for Section 201.5 Article II for setbacks that are not located in the Development of Conservation Areas, and for any other lots that do not have applicable setbacks in the Conservation District. Mr. Jackson seconded the motion. All voted yes, and the motion passed.
- Mr. Barlow made a motion to approve the amendment for Section 435.1 of Article IV regarding No-Impact Home-Based Businesses. Mr. Jackson seconded the motion. All voted yes, and the motion passed.
- Mr. Barlow made a motion to approve the amendment for Section 600.3 of Article VI regarding expiration and renewal of Land Use Permits. Mr. Jackson seconded the motion. All voted yes, and the motion passed.
- Mr. Jackson explained that Land and Sea resigned as Zoning Officer and Zoning Code Enforcement on November 30. He stated that the township looked at options and received a proposal from PA Municipal Code. Mr. Jackson made a motion to appoint PA Municipal Code for Zoning Officer and Zoning Code Enforcement Officer. Mr. Barlow seconded the motion. All voted yes, and the motion passed.
- It was noted that Land and Sea services was still under contract until December 31, 2018 to provide Building Code Official and UCC Services. There was some discussion about using two companies for building code services. Mr. Jackson made a motion to appoint PA Municipal Code PA Municipal Code as additional Building Code Official and UCC Services. Mr. Barlow seconded the motion. All voted yes, and the motion passed.
- Mr. Barlow made a motion to accept Middle Creek Bible (25D16-0008---000) November 13, 2018 Subdivision and Land Development Plan Submission for review. Mr. Jackson seconded the motion. All voted yes, and the motion passed.
- Mr. Jackson made a motion to approve Middle Creek Bible (25D16-0005---000) Request for Planning Waiver & Non-Building Declaration. Mr. Barlow seconded the motion. All voted yes, and the motion passed.

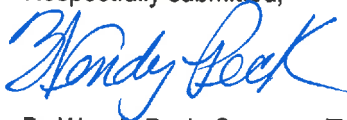
- Mr. Jackson made a motion to conditionally approve Middle Creek Bible (25D16-0005---000) Subdivision Plan Submission. All conditions stated in the review letters from Liberty Township Engineer KPI, the Adams County Planning Commission and the Liberty Township Planning Commission must be met before the plans will be signed off for approval. Mr. Barlow seconded the motion. All voted yes, and the motion passed.
- Mr. Jackson read the Liberty Township Planning Commission's recommendation to conditionally approve Higgins (25000-0043---000) Land Development Plan Submission. Questions were raised on whether the Adams County Planning Commission and the Township Engineer's Comments had been addressed. It was noted that the Board had not seen the most recent version of the plans. Mr. Higgin's Civil Engineer Terry Sheldon attended the meeting. There was much discussion among Mr. Sheldon, the Supervisors and the Solicitor. It was recommended that Mr. Sheldon provide a letter documenting how each of the comments had been addressed for the Supervisors to review in advance of the next meeting. Mr. Barlow made a motion to table the consideration for approval until the December 18 Workshop meeting. Mr. Jackson seconded the motion. All voted yes, and the motion passed.
- The Secretary stated that the Township had received a ballot for PIRMA Board of Directors. Mr. Barlow made a motion that the Board not submit a vote for the PIRMA Board of Directors. Mr. Jackson seconded the motion. All voted yes, and the motion passed.
- Mr. Jackson reported that two bids were received for installing the required UCC approved exit sign at the front door to the municipal building. Sanders Lawn and Beyond proposed all materials, labor and supplies for \$350. Hulls Electric proposed all materials, labor and supplies for \$395. Mr. Jackson made a motion to award the bid for the exit sign installation to Sanders Lawn and Beyond. Mr. Barlow seconded the motion. All voted yes, and the motion passed.
- Mr. Jackson stated that he had received pricing from several propane suppliers. He read the prices and conditions for the pricing. After some discussion, it was decided that the Township not enter in to a contract with a propane provider, but instead call to obtain pricing each time the tank needs filled. Mr. Jackson made a motion to authorize Roadmaster Brian Arentz to purchase propane as needed at the lowest price after obtaining three telephone bids. Mr. Barlow seconded the motion. All voted yes, and the motion passed.
- Mr. Barlow made a motion to advertise the Annual Organization Meeting for Monday, January 7, 2019 at 7:30 PM and the Annual Auditors Organization Meeting on Tuesday, January 8, 2019 at 7:30 PM; the 2019 Board of Supervisors Meetings on the Second Tuesday at 7:30 PM, with the exception of Wednesday, November 6; the 2019 Workshop Meetings on the 3rd Tuesday of each month at 11 AM with exceptions of Tuesday, January 22 and Wednesday, May 22; the 2019 Planning Commission meetings on the 3rd Tuesday of each month at 7:30 PM with exception Wednesday, May 22. Mr. Jackson seconded the motion. All voted yes, and the motion passed.

**PUBLIC COMMENTS:** None.

**ADJOURN**

With no further business, Mr. Barlow made a motion to adjourn the meeting at 8:55 PM. Mr. Jackson seconded the motion. All voted yes, and the motion passed.

Respectfully submitted,



By Wendy Peck, Secretary/Treasurer