

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

December 17, 2019 Workshop Meeting Minutes

The Board of Supervisors of Liberty Township, Adams County, met Tuesday December 17, 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, Roadmaster Brian Arentz and Secretary/Treasurer Wendy Peck.

Mr. Bostek called the meeting to order at 11:01 AM.

Public Comments: **Richard Gladhill 605 Harbaugh Valley Rd** made comments regarding his recent application for a junkyard permit. He expressed dissatisfaction with the Township's denial for his application and commented on the perceived actions of the zoning officer. He went on to state that the Zoning Officer told him that he did not need to attend the public meeting at which the supervisors ruled on his permit. He continued by expressing agitation that his neighbors were informed about his application and they attended the meeting and were allowed the opportunity to express their objection to granting the permit. He asked the Supervisors why he wasn't told to attend. Solicitor Lisko stated that Mr. Gladhill could have attended, noting that the meeting was a public meeting and the agenda was posted publicly in advance of the meeting with the item of his permit application clearly listed. Mr. Gladhill then asked the township solicitor about an appeal process for his application. Solicitor Lisko advised Mr. Gladhill to consult his own attorney stating that he was representing the Township and the Board of Supervisors.

Supervisor Comments

- **Mr. Bostek** announced that the Board of Supervisors held an Executive Session conference call with special counsel for the bond claim Attorney Sanders on Monday, December 16 from 11:30 AM to 11:46 AM. In the Executive Session the Supervisors discussed the bond claim and authorized the attorney to send another letter to Cincinnati Insurance Company.
- **Mr. Jackson** stated that he would hold his comments until the end of the meeting.
- **Mr. Barlow** had no comments.

Expenses: Mr. Barlow made a motion to approve the 12/04-12/17/19 invoices. Mr. Jackson seconded the motion. All voted yes, and the motion passed. Mr. Barlow made a motion to retroactively approve the payroll for 11/24-12/07/2019. Mr. Jackson seconded the motion. All voted yes, and the motion passed.

TOWNSHIP STAFF REPORTS

Road Department: The Roadmaster reported that he recently used the new truck to apply anti-skid to the roads. He also reported a dead ash tree located on the property line that needed immediate attention. Mr. Jackson made a motion to instruct the Roadmaster to obtain quotes to remove the hazardous tree. Mr. Barlow seconded the motion. All voted yes, and the motion passed.

Secretary/Treasurer: The Secretary/Treasurer had no comments.

OLD BUSINESS:

- **Treasurer Bond Claim** – It was noted that this was covered under Supervisor Comments.
- **Consider Adopting the Proposed 2020 Budget**– Mr. Jackson made a motion to adopt the 2020 budget as advertised with the General Fund Budget at \$349,902.47 and the Liquid Fuels Budget at \$77,871.33. Mr. Bostek seconded the motion. Mr. Jackson voted yes. Mr. Bostek voted yes. Mr. Barlow voted no. The motion passed.

NEW BUSINESS:

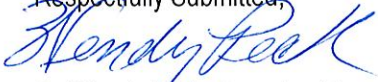
- **Consider a motion to adopt Resolution 2019-07 Real Estate Tax Rate** – It was noted that the resolution was to restate the real estate tax rate to include the increase that was proposed for the 2020 General Fund Budget. Mr. Jackson made a motion to adopt Resolution 2019-07 setting the real estate tax for 2020 at 0.815 mills with the fire tax remaining 0.25 mills for a total of 1.065 mills.
- **Consider a motion to distribute Fire Tax to three fire companies** – The Supervisors considered the distribution amounts to the three area fire companies. It was noted that Vigilant Hose of Emmitsburg, Maryland reported a total of 30 calls to the township for 2019 but after a review of the addresses, it was noted that ten of the calls listed were in other municipalities and their actual total was 20 calls. Calculations show that Vigilant Hose responded to 6.2% of the calls for 2019 and presented invoices for reimbursement in the amount of \$23,190.00. Fairfield Fire Department reported responding to 183 calls or 56.3% and presented invoices in the amount of \$10,347.57. Fountaindale reported responding to 122 calls or 37.5% and presented invoices in the

amount of \$10,187.52. Mr. Barlow made a motion to distribute the \$33,000 of Fire Tax to the three Fire Departments based on the percentage of calls. There was much discussion amongst the Supervisors about the fire department services to Liberty Township. Mr. Jackson seconded the motion but commented that the process of distribution of the Fire Tax Fund needed further attention in 2020. Mr. Barlow voted yes. Mr. Jackson voted yes. Mr. Bostek voted no. The motion passed. It was noted that Fairfield and Fountaindale would need to submit additional invoices for reimbursement or the excess amounts would be held over to 2020.

- Mr. Lisko spoke briefly about the **Trider/Middle Creek Tax Assessment Appeal Notice dated 12-4-19** and requested that it be discussed in an Executive Session.
- Mr. Lisko spoke briefly about the Christ Apostolic Church 25A18-0007---000 Real Estate Tax Assessment Appeal date 12-9-19 and requested that it be discussed in an Executive Session.
- Mr. Lisko gave an overview of the **Adams County Tax Upset Sale Distribution for properties: 25AD0-0061---000, 25AA0-0153---000, 25AA0-0031---000**. After some discussion, Mr. Bostek made a motion not to object to the tax upset sale distribution for properties: 25AD0-0061---000, 25AA0-0153---000, 25AA0-0031---000. Mr. Barlow seconded the motion. All voted yes, and the motion passed.
- The Board considered a motion to advertise Annual Organizational Meeting on Monday, January 6, 2020 at 7:30 PM, Board of Supervisors Regular January Monthly Meeting immediately following Organizational Meeting, Annual Auditors Meeting on Tuesday, January 7, at 7:30 PM; Board of Supervisors 2020 Meetings on the second Tuesday of each month at 7:30 PM; Board of Supervisors 2020 Workshop Meetings on the third Tuesday of each month at 11 AM; Planning Commission Meetings on the third Tuesday of each month at 7:30 PM. It was noted that the Board of Supervisors monthly meetings were on the first Tuesday and not the Second Tuesday as stated on the agenda. Mr. Jackson made a motion to advertise the Annual Organizational Meeting on Monday, January 6, 2020 at 7:30 PM, Board of Supervisors Regular January Monthly Meeting immediately following Organizational Meeting, Annual Auditors Meeting on Tuesday, January 7, at 7:30 PM; Board of Supervisors 2020 Meetings on the first Tuesday of each month at 7:30 PM; Board of Supervisors 2020 Workshop Meetings on the third Tuesday of each month at 11 AM; Planning Commission Meetings on the third Tuesday of each month at 7:30 PM. Mr. Bostek seconded the motion. All voted yes, and the motion passed.
- Mr. Jackson commented that he would like to hold an Executive Session at 11 AM on Thursday, January 2 with Mr. Barlow and newly elected Supervisor Mr. Keilholtz. The purpose of the meeting would be to discuss upcoming appointments to be made at the Organization meeting on January 6, 2020 and the roles of the Supervisors in attending meetings for the area organizations such as FREMA and Adams County Council of Governments. Mr. Barlow agreed with the idea of a meeting but stated that it may not be appropriate for an Executive Session. Mr. Lisko expressed reservation over the idea of an Executive Session with the newly elected Supervisors prior to the January 6 Organization meeting and questioned the appropriateness of the topic for Executive Session. He advised the Supervisors that the meeting should be a public meeting and advertised. Mr. Jackson made a motion to advertise a Special Meeting to Discuss Appointments, etc. to be held on January 2, at 11 AM. Mr. Barlow seconded the motion. All voted yes, and the motion passed.
- Mr. Keilholtz presented Mr. Bostek with a plaque "In Grateful Recognition of Your Service to Liberty Township" for his term as Supervisor from 2005 – 2019. Mr. Jackson presented a certificate from PSATS also recognizing Mr. Bostek's service.
- Mr. Bostek announced that the Supervisors would be going into Executive Session. Mr. Gladhill expressed a desire to comment. He stated that he only applied for a Junkyard Permit to be in compliance and had no intention of running the business of a junkyard. He went on to say that he keeps cars on his lot as part of his hobby of fixing up cars.
- **At 11:56 AM** Mr. Bostek announced that the Supervisors were going into Executive Session to discuss the Tax Assessment Appeals and would reconvene the meeting to adjourn.
- **At 12:22 PM** Roadmaster Brian Arentz left the meeting.
- **At 12:24 PM** Mr. Bostek announced that the Supervisors discussed the two tax appeals. Mr. Bostek made a motion to authorize Mr. Lisko to intervene further on Trider/Middle Creek Tax Assessment Appeal Notice dated 12-4-19 and to have Zoning Officer Darrin Catts look into the matter. Mr. Jackson seconded the motion. All voted yes, and the motion passed.
- The Secretary was advised to include the Christ Apostolic Church 25A18-0007---000 Real Estate Tax Assessment Appeal date 12-9-19 to the January 2 meeting advertisement along with notice that the Supervisors would also conduct any other Township business.

Adjourn: At 12:32 PM Mr. Bostek moved to adjourn the meeting. Mr. Jackson seconded the motion. All voted yes, and the motion passed. The next regular Board of Supervisors meeting will be held on Monday, January 6, 2020 immediately following the 7:30 PM Organization meeting at the Township Municipal Building.

Respectfully Submitted,



By Wendy Peck, Secretary/Treasurer