

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

June 18, 2019
Workshop Meeting Minutes

The Board of Supervisors of Liberty Township, Adams County, met Tuesday June 18, 2019 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, Secretary/Treasurer Wendy Peck; and Zoning Officer Darrin Catts.

Mr. Bostek called the meeting to order at 11:03 AM

Guest Speaker: Mr. Bostek introduced Geoff Moomaw from Interstate Tax Services who was present to speak about unemployment compensation. Mr. Jackson distributed a handout of an unemployment compensation claim to the other Supervisors, the Solicitor and Mr. Moomaw. Mr. Barlow stated that the handout was his claim that he filed when the Supervisors voted to change his employment status from part-time to temporary part-time. Mr. Moomaw explained how eligibility and unemployment compensation amounts are determined. He spoke about the appeal process. He stated that he is a third-party representative that works with PSATS. He spoke about the role of Interstate Tax Services in connection with the Unemployment Compensation Program run by the Department of Labor and Industry. Mr. Jackson thanked Mr. Moomaw. The presentation ended at 11:25 Am.

Public Comments: There were no public comments.

Supervisor Comments

- **Mr. Jackson** stated that he would hold his comments until the agenda items.
- **Mr. Barlow** reported that four of the smoke detectors in the building were malfunctioning. There was some discussion on how to replace the smoke detectors. Mr. Arentz stated that he had replaced some already and was comfortable replacing the others. Mr. Barlow made a motion to have Brian Arentz replace the four faulty smoke detectors. Mr. Jackson seconded the motion. All voted yes and the motion passed.
- **Mr. Bostek** announced that he would be filing a conflict of interest disclosure form. He read the statement out loud and filed it with the Township Secretary as required. The form stated that he is an elected Supervisor and his spouse is an elected auditor and that a potential or actual conflict of interest exists when approving elected auditor compensation payments for his spouse. Mr. Lisko advised Mr. Bostek to abstain from voting on his spouse's compensation, but he could vote to break a tie.
- Referring to Mr. Moomaw's presentation, **Mr. Lisko** went on to state that he was not aware that an employee's information would be shared and that he was not consulted about Mr. Moomaw's presentation. Mr. Barlow asked the Secretary if she had shared the document today. She stated that she had not. Mr. Jackson stated that he had released the information.
- **Mr. Bostek** stated that the Emmitsburg Fire Department Vigilant Hose had recently provided several months of fire call reports. He went on to say that the reports did not specifically identify Liberty Township calls. He said that he would follow up with President Davis of the Vigilant Hose Company for more specific reports.
- **Mr. Jackson** reported that he had spoken to Adams County about the bridge on Boyle Road and was told that they will complete the work by July or the end of the year. Mr. Keilholtz of 24 Steelman Marker Rd stated that he also spoke to representatives from Adams County and was told the same information regarding the trimming of the weeds and the guide rail repairs.

At 11:30 AM Special Counsel Zachary Mills joined the meeting.

Expenses: Mr. Barlow made a motion to approve the 06/05-06/18/19 invoices. Mr. Jackson seconded the motion. All voted yes, and the motion passed. Mr. Barlow made a motion to retroactively approve the payroll for 05/26-06/08/2019 excluding Kate Bostek. Mr. Jackson seconded the motion. All voted yes, and the motion passed. Mr. Jackson made a motion to approve the payroll for Kate Bostek. Mr. Barlow seconded the motion. Mr. Bostek abstained from voting. Mr. Jackson voted yes. Mr. Barlow voted yes. The motion passed.

TOWNSHIP STAFF REPORTS

Road Department: Roadmaster Arentz reported that the ditching work was finished, and they did not get to Brent Road or Sanders Road. He also stated that Flagger force was onsite for two days for a total of 52-man hours. Mr. Arentz reported that he would be ordering replacement pipes for Pecher Road and Liberty Hall Road. He commented that he would be mowing Gladhill Road and Old Waynesboro Road tomorrow then heading over to the intersection of Tract Road and Orchard Road to do more vegetation trimming for the line of site. Mr. Bostek asked the Roadmaster if he had any workers lined up for summer work. Mr. Arentz indicated that he had contacted Mr. Barlow to work and asked the Supervisors who he could contact if Mr. Barlow was not available. There was some discussion about the previous hiring of Bobby Keilholtz for snow removal work. Mr. Keilholtz announced that he could make himself available. Mr. Bostek made a motion to hire Bobby Keilholtz for general part-time work in the road department as needed. Mr. Keilholtz asked the Supervisors about requiring drug testing. It was suggested that the Township check with their insurance company for possible insurance discounts if using screening programs. Mr. Jackson seconded the motion. All voted yes and the motion passed. The secretary was asked to check with PSATS and the Township insurance company about such programs and insurance discounts.

Secretary/Treasurer: The Secretary reported on the status of the work being completed by the ADECCO temporary employee. She stated that the work was moving along and that she has contacted the SEO to retrieve the old SEO files for identification and filing at the Township. Mr. Keilholtz asked who the back-up for the Secretary/Treasurer was if she was unavailable. Mr. Jackson stated that he was the Alternate Secretary/Treasurer. There was some discussion if Mr. Jackson would be able to fulfill all the duties that the Treasurer was required to perform such as payroll. Mr. Barlow stated that he had spoken to Carroll Valley Borough Assistant Manager Gail Mathers and she could be available if needed.

OLD BUSINESS:

- **Policy Manual Point of Order** – Mr. Bostek made a motion to eliminate holiday pay for part-time workers. Mr. Jackson asked for more information. There was some discussion about abuse of policy in past years. Mr. Jackson stated that he would not second the motion and that the previous abuse was a matter of oversight. The motion died for lack of a second. Mr. Barlow spoke about vacation time and stated that every employee should adhere to the handbook. There was some discussion by the Supervisors about policies and procedures. Mr. Bostek spoke about the use of vacation. Mr. Lisko advised the Board that this topic was a matter for Executive Session. Mr. Barlow mentioned a breach of confidential personnel information by inviting Interstate Tax Service and distributing his unemployment claim report. Mr. Jackson asked the Board to proceed with the agenda items.
- **June 4 Road Work Bids** – There was some discussion about the Township proceeding with all the work proposed or postponing some of it until next year. Roadmaster Arentz stated that he would like to do all the work in the current year if possible. Mr. Bostek stated that he agreed with the Roadmaster and the roads need to be repaired. He went on to state that he felt that the Township had enough funds available to complete all the work which would cost \$173,821. Mr. Bostek made a motion to move forward with all the work proposed. Mr. Barlow seconded the motion. Mr. Jackson stated that the bidding was a wish list and concluded that the Township should only spend \$113,000 by leaving out the work for Liberty Hall Road. Mr. Arentz commented that Liberty Hall Road was included with the Stoops Road bid and if removed the unit price could go up. There was a lot of discussion about the possibility of awarding part of a bid or if a new bid was required. Mr. Lisko stated that you cannot split the bid and you would need to re-bid that project. Mr. Bostek made a motion to award all four bids to the lowest responsible bidders. Mr. Barlow seconded the motion. Mr. Bostek voted yes. Mr. Barlow voted yes. Mr. Jackson voted no. The motion passed.

Mr. Arentz read the bid awards:

- i) 5600 SY Reclaim @6" depth, with 2" PA2A on Liberty Hall Road and Stoops Road awarded to CE Williams for \$50,400
- ii) 700 Tons 9.5mm Superpave Wearing course, PG64-22, 0.0-0.3 ESALS's SRL-L on Liberty Hall Road and Stoops Road awarded to AAA Paving and Excavating for \$67,641
- iii) 11,000 SY Double Application Surface Treatment on Topper Road and Pecher Road awarded to Hammaker East LTD. For \$38,500
- iv) 300 SY Base Repairs on Topper Road and Pecher Road awarded to AAA Paving and Excavating for \$17,280

The Secretary was instructed to contact the bidders.

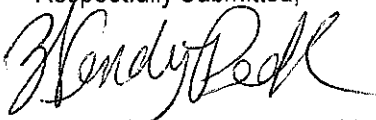
NEW BUSINESS:

- **Mr. Bostek** spoke about the proposed **Ordinance for Municipal Cooperative Police Agreement with Carroll Valley Borough**. Mr. Barlow made a motion to advertise the proposed Ordinance for Municipal Cooperative Police Agreement with Carroll Valley Borough with the intent to adopt at the July 2 meeting. Mr. Jackson seconded the motion. All voted yes, and the motion passed.
- **Gladhill Road Logging Draft Agreement and Road Bond** – Mr. Jackson introduced Tina Camp as the owner of 212 Gladhill Rd. Ms. Camp stated that she contacted a logging company to remove trees that are interfering with paving her driveway. Mr. Jackson reported on what has happened to date starting with first being contacted by Doe Run Lumber Company in early May. Doe Run Lumber Company wanted permission to exceed the ten-ton weight restriction on a portion of Gladhill Road to perform logging. He stated that he received information from PennDOT about possible ways to proceed and was told by PennDOT that they do not issue permits for logging on state roads but instead advise the companies to split the loads, so they do not exceed the weight limit. Mr. Jackson advised Logan Fritz of Doe Run Lumber Company to prepare a road agreement and a bond for the Township to consider as suggested in the PennDOT publication. Mr. Jackson stated that to date the Township had not received any further communication from Doe Run Lumber, but that Tina Camp had obtained information from them and has provided to the Township. The proposed bond amount of \$6,000 from Doe Run Lumber was discussed and deemed insufficient. Mr. Jackson went on to state that value of the bond should be at least \$38,213 representing the contract price of the recently repaved road for the 0.4 miles which is 30% of the road belonging to Liberty Township. He suggested that the length of the warranty be three years because of the long-term effect of heavy loads with an inspection before the project and at the end of the warranty period. There was much discussion on a proper road agreement, the engineering inspection required before and after the logging, the cost, and who would pay for it. The Supervisors suggested splitting the load and using a staging area to avoid exceeding the weight limited and eliminating the need for a bond and agreement. Several companies including DL George were suggested as possible contacts for staging areas. Mr. Jackson stated that he would put all his suggestions in a letter to Tina Camp. Tina Camp left at 12:26 PM.
- **Nuisance Complaints** – Zoning Officer Darrin Catts reported that he received two complaints about issues caused by a past logging project at 740 A Harbaugh Valley Rd. An access road was added which covered a culvert causing water to run on the road. There was some discussion about the Township or the Federal Government was maintaining that section of Harbaugh Valley Road. He stated that he met with one of the persons reporting the problem and they stated that they would be meeting with representatives from Site R soon to discuss the issue. The Supervisors encouraged Mr. Catts to attend the meeting with the Site R representative. He went on to talk about the Zoning Ordinance Section 301.7. Forestry Operations and how that applies to logging. There was some discussion about how the ordinance would apply to Tina Camp and the Secretary was instructed to inform her of the ordinance for compliance. Mr. Catts stated that the property at 740 A Harbaugh Valley Rd appears abandoned and the structures are dilapidated. Mr. Catts also reported on another complaint received about burning construction materials and appealed to the Supervisors for instruction. It was determined that the Township did not have a burning ordinance, but Mr. Catts was advised to pass the complaint to the DEP for investigation.

Executive Session: At 1:01 PM Mr. Bostek stated that the Supervisors would go into an Executive Session with Mr. Mills and Mr. Lisko to discuss the Treasurer Bond Claim and would return to adjourn the meeting.

Adjourn: At 2:09 PM the Supervisors returned from Executive Session and Mr. Bostek motioned to adjourn the meeting. Mr. Barlow seconded the motion. All voted yes, and the meeting was adjourned. The next Board of Supervisors meeting will be held on Tuesday, July 2, 2019, at 7:30 PM at the Township Municipal Building.

Respectfully Submitted,



By Wendy Peck, Secretary/Treasurer