



**WEST ROCKHILL TOWNSHIP
BOARD OF SUPERVISORS**

**Meeting Agenda
December 19, 2018**

Call to Order/Pledge of Allegiance *Please silence cell phones during the meeting*

1. Public Comments on Agenda items – *Please state name & address*

2. Announcements

- Executive Session to follow this evening's meeting

3. Consent Agenda

1. November 14, 2018 Minutes
2. Wynn Plan Review Status & Escrow Release
3. Emergency Services Report
4. Building/Zoning & Building Permit Report
5. Public Works Report
6. Conservation Committee
7. Joint Recreation Authority – Resolution 2018-10 Articles of Incorporation
8. Resolution 2018-11 LD 609 Hansen & Hansen Prelim/Final Approval

4. Confirmed Appointments

- Ebby Schirmer – Health Insurance
- Frank Szymendera – Health Insurance
- Ada Miller – Health Insurance
- Karina Rilling – Health Insurance
- Fred Diserod – Health Insurance
- Regina Schrameyer – Health Insurance
- Marilyn Vogel – Health Insurance
- David Collingwood – Health Insurance
- Brenda Phelan – Health Insurance
- Vera Cole – Health Insurance

5. Committee Reports

- Planning Commission: Chris Derstine
- Park & Recreation Report: Bob Strobel
- Joint Recreation Authority: Jim Miller

6. Commission Reports

- Police Report: Chief Rod Blake

7. Tax Collector's Report: Suzanne Clarke

8. Engineer's Report: Steve Baluh, P.E.

- LD 605 Kratz Major Subdivision

9. Solicitor's Report: Mary Eberle, Esq.

- Joint UCC Board Ordinance

10. Township Manager's Report: Greg Lippincott

- Treasurers Report/ Payment of Bills
- 2019 Budget – Adoption
- 2019 Draft Resolutions - Reorganization & Fee Schedule

11. Old Business

12. New Business

13. Public Comment - *Please state name & address*

- Michelle Schetter

Adjournment

**West Rockhill Township
Board of Supervisors Meeting Minutes
December 19, 2018**

Call to Order

The meeting was called to order at 7:03 p.m. at the West Rockhill Township building by Chair Jim Miller, who led the Pledge of Allegiance.

Elected Officials *(Absentees noted with asterisk*)*

Chairman: Jim Miller
Vice Chairman: Don Duvall
Member: Jay Keyser
Tax Collector: Suzanne Clarke

Appointed Officials

Township Manager:	Greg Lippincott	Conservation Committee (CC): Don Duvall
Township Solicitor:	Mary Eberle	Park and Recreation (P&R): Bob Strobel
Township Engineer:	Steve Baluh	Joint Recreation Authority (JRA): Jim Miller
PRPD:	Officer Tim Maloney	Township Secretary: Judith Decker
Planning Commission:	Chris Derstine	

Visitors Registered

Ebby Schirmer, Marilyn Vogel, Charles Sutherland, Barry & Judy Benninger, Ron & Eileen Brother, Alex Kutt, John & Patrice Sweriduk, John Woehr, Scott Miller, Brian Landis, Jim & Jane Strohm, Jim & Barbara Karcher, Mike & Rosemary Hoy, Nancy J. Horners, Richard Williams, Linda Bryniarski, Cliff Cole, Regina & Mike Schrameyer, Ada Miller, David Collingwood, Charles Guenst, Terry Leidy, Penny Markley, Vera Cole, Marty Simon, Frank Szymendera, Harry Lawell, Anthony Boegner, Stewart & Sue Furlong, Brenda Phelan, Paul Roesner, Dawn Fretz, Margaret Fitzgerald, Chris Derstine, Linda Marx, Stan Heller, Jennie McClure, Martha Otto, Ward Moyer, Doug Hansen, Sue & Lynn Crouthamel, Sylvia Cichon, Ellen Rumsey, Carol Strobel, Dennis Fox, Marliyn & Bob Price, Marie & Fred Diserod, Jerry Guretse, and Bob Keeler of the News Herald

Public Comments on Agenda Items

David Collingwood requested public comment be taken before a vote on the 2019 budget. Mr. Miller agreed.

Announcements

Mr. Miller announced that there will be an Executive Session following the meeting.

Consent Agenda

1. November 14, 2018 Minutes
2. Wynn Plan Review Status & Escrow Release
3. Emergency Services Report
4. Building/Zoning & Building Permit Report
5. Public Works Report
6. Conservation Committee
7. Joint Recreation Authority – Resolution 2018-10 Articles of Incorporation
8. Resolution 2018-11 LD 609 Hansen & Hansen Lot Line Preliminary/Final Approval

Mr. Duvall made a motion seconded by Mr. Keyser and carried to approve the Consent Agenda.

Confirmed Appointments – Board of Supervisor’s Township Health Insurance

Ebby Schirmer – Mrs. Schirmer asked BOS why they did not want to take the Medigap plan. Mr. Miller responded that he took that plan.

Frank Szymendera – Mr. Szymendera objected to the Board taking full health insurance and thought a “watchdog committee” was needed. Mr. Duvall responded that he was on Medicare. Mr. Szymendera asked why wives were on the plan.

Ada Miller – Ms. Miller announced that she and her husband, Mr. Miller, took the Medicare supplement plan. She asked what the timeline was for to stop the practice of Medicare eligible Supervisors taking full health care plans at the

expense of taxpayers. Mr. Keyser responded that the health plan is reviewed every year, and, as the Supervisors are employees of the Township, the Second Class Township Code allows them to take the same plan as the other employees and there had been no change. Mr. Miller objected that he has a different health care plan and he wants to shut down access to the other plans by those over 65 by next year.

Karina Rilling – Mrs. Rilling asked in whose domain are the videos taken by residents Sue Furlong and Bob Linden. Mrs. Eberle responded that with prior notice, the public is permitted to take videos at public meetings as personal property. Mr. Miller stated that WRT is looking into procedures for videotaping; he would like BOS to purchase install a \$128 camera to tape the meetings. Mr. Duvall responded that they would look into it. Ms. Rilling went on to object to the denial of Confirmed Appointments: why was it so specific and difficult? Mrs. Eberle responded that BOS developed the policy of taking confirmed appointments many years ago to enable staff and the Board time to research and respond to specific questions from the public.

Fred Diseroad – Mr. Diseroad announced that he met with Mr. Keyser and Mr. Duvall, mediated by former State Representative Paul Clymer, to find solutions with no results. He read a draft policy for health insurance. At Mr. Duvall's request, Mr. Diseroad submitted a list of other townships his group surveyed about health insurance.

Regina Schrameyer – Mrs. Schrameyer asked if WRT had a policy for health insurance for those over 65. Mrs. Eberle responded that no written policy could be found. Mr. Miller added that he thought there should be a policy.

Marilyn Vogel – Mrs. Vogel thought the Board should find more affordable health insurance when they are not supporting community services like the pool, senior center and park.

David Collingwood – Mr. Collingwood provided a slide with BOS health care costs. He asked BOS to justify why it was ethical, or fiscally responsible, for they and their spouses to be using taxpayer funding for their health and dental insurance. Mr. Duvall stated that he has taken the insurance since he volunteered and it is reviewed each year. He added that the cost has gone up since changes in 2013 increased cost by 52%. Mr. Keyser said that the Second Class Code permits it and he would not discuss his employment situation. Mr. Miller repeated what he said in May: the current plan is too expensive, he took the Medigap plan, and there is no reason not to take that plan for those over 65.

Brenda Phelan – As president of the West Rockhill Historical Society, Ms. Phelan wanted to know why the BOS would not spend money on the James House and what were the plans for the house and would the BOS make a donation to the Society. A conversation about failed negotiations between WRT and the HS to rent the James House ensued with no resolution.

Vera Cole – Ms. Cole read a prepared statement to be read into the Minutes in opposition the BOS taking health insurance.

Committee Reports

Planning Commission (PC): Chris Derstine

Mr. Derstine reviewed the December 11 meeting as follows: 1) LD 610 Teresco Warehouse Addition, an addition to the rear of the existing ODRA building on Bethlehem Pike to store granite and marble. The application was inadequate for complete review and no action was taken. 2) LD 611 Dierstein Millhafen LLC – Cowan Associates and Andy DeGruchy, Limeworks.US, presented the plan for the 14.77 acre historic mill site to convert the farmhouse, cottage, mill building, garage, barn and pole building into offices, manufacturing and storage, a guest house, workshop space, a loft residence, areas for livestock and space for construction of "tiny" houses, and continued agricultural use. A ZHB decision in 2016 permitted the above multiple uses of the property as presented to them. No action was taken. PC made a recommendation for approval of the Comprehensive Plan draft, which has been advertised. **Mr. Keyser made a motion seconded by Mr. Duvall and carried to approve the Planning Commission Report.**

Park & Recreation Committee Report: Bob Strobel

Mr. Strobel announced that there was no meeting in December and P&R has a vacancy. **Mr. Keyser made a motion seconded by Mr. Duvall and carried to advertise a vacancy on the Park & Recreation Committee.**

Joint Recreation Authority: Jim Miller

Mr. Miller reported that with Suzanne Clarke on the Board, Karen Nace had been hired as pool manager for 2019. The 2019 budget was approved with a \$10.00 increase in seasonal memberships. Mr. Keyser asked for a member breakdown report for 2018. **Mr. Keyser made a motion seconded by Mr. Duvall and carried to approve the Joint Recreation Authority Report.**

Pennridge Regional Police Department (PRPD) Report: Chief Rod Blake

Chief Blake gave the PRPD report and added that a 5-year police contract had been finalized. **Mr. Keyser made a motion to accept the Police Report seconded by Mr. Duvall and carried.**

Tax Collector's Report: Suzanne Clarke

Mrs. Clarke presented the Tax Collectors report noting that she had collected more than budgeted in 2018.

Mr. Keyser made a motion seconded by Mr. Duvall and carried to approve the Tax Collector's Report.

Engineer's Report: Steve Baluh, P.E.

LD 605 Kratz Major Subdivision

Curt Clauss, Schlosser & Clauss, presented the plan for a 6-lot subdivision on Ridge Valley Road maintaining the existing Kratz estate and adding 5 new lots. Items from the Wynn review letter dated November 11, 2018, were discussed in detail and BOS directed the Solicitor to prepare a resolution of approval for the next Board meeting. Public comment was taken from John Sweriduk regarding open space addressed by Mrs. Eberle.

Mr. Baluh reported that the WRT MS4 Plan was prepared and submitted to DEP and rejected, as were many others. Wynn has been working on revisions with DEP all year and the revised MS4 Plan must be advertised. **Mr. Duvall made a motion to advertise the Municipal Separate Storm Sewer System Plan seconded by Mr. Keyser and carried. Mr. Duvall made a motion seconded by Mr. Keyser and carried to approve the Engineer's Report.**

Solicitor's Report: Mary Eberle, Esq.

Ordinance No. 239 Joint UCC Board

Mrs. Eberle announced that this Ordinance, duly advertised, was before the Board for consideration. She reviewed the amendments to the Joint Uniform Construction Code Appeals Board: requiring all participating municipalities to appoint members and making a quorum three members instead of five due to difficulties getting five members to attend the occasional meetings. Mr. Miller opened a public hearing at 8:58 p.m. and closed it at 8:59 p.m. with no public or Board comment. **Mr. Duvall made a motion seconded by Mr. Keyser and carried to adopt Ordinance Number 239. Mr. Keyser made a motion seconded by Mr. Miller and carried to approve the Solicitor's Report.**

Manager's Report: Greg Lippincott

Treasurer's Report/Payment of Bills

Mr. Lippincott presented the Treasurer's Report, which is on file. **Mr. Duvall made a motion seconded by Mr. Miller and carried to approve the Treasurer's Report ending November 30, 2018, and to pay the bills as reported for November 9 through December 12, 2018, subject to Audit.**

2019 Budget - Adoption

Mr. Lippincott presented the 2019 Budget, duly advertised, for adoption. It includes paving the municipal parking lot, re-roofing the public works building, completing the Tot Lot expansion, park benches, and codification. Public comment was taken. Ward Moyer commended Mr. Miller for saving on health care costs and asked why Mr. Keyser and Mr. Duvall did not answer questions and asked what the plan would be should they be voted out of office. Tony Boegner asked if legal fees were in the budget for opposing the compressor station. Mrs. Eberle responded to his question. Mr. Lippincott explained that the budget is not specific but takes an average estimate of costs over five years. He also asked about the cost of the stormwater basin modifications from the MS4 addressed by the Engineer. Mr. Baluh said its costs about the same. Marie Diserod objected to the cost of BOS health care. Anthony Molozzi opined that he was appalled with BOS health insurance costs, thought they should resign and would work towards that end and Brian Lewis concurred. Dawn Fretz thought Mr. Duvall and Mr. Keyser had a moral obligation to do the right thing and were fiscally irresponsible. Charlie Guent thought monies should be spent on the old buildings WRT owns that need repair. Sue Crouthamel objected to the health care decision. Ebby Schirmer asked if 10% of the budget could be changed. Mrs. Eberle explained that 10% could be changed without re-advertising. Fred Diserod stated that two supervisors could approve a policy change. Frank Szymendera questioned the health insurance agent and Mr. Miller responded that the agent provides a choice of plans each year. Sue Benninger asked for re-affirmation of the choice of three plans, affirmed by Mr. Miller that the Manager provides plan choices. Vera Cole stated that adjustments up to 25% of a specific line item can be made after the adoption of the 2019 budget. The Solicitor and Manager affirmed that 25% of \$66,000.00 can be adjusted. Mr. Miller asked his fellow Board members if they would support any changes to the 2019 budget. Mr. Keyser responded in the negative. Don White and Ebby Schirmer had further health insurance

plan questions addressed by Mr. Miller. Linda Marx wanted Thousand Acre Road line-stripped in 2019 for safety. The Board and Mr. Lippincott responded that a decision would be made in March 2019. Harry Lowell asked how many employees were on the Township health insurance plan. Mr. Lippincott responded "five" and, when asked, stated that the cost of health insurance in 2019 for all employees and supervisors would be \$164,969.00. Ebby Schrimmer asked if the budget had to be approved that evening. Mrs. Eberle responded that no time was left in 2018 to re-advertise and meet again. Mr. Miller added that funds could be moved around. With no further questions or comment, **Mr. Keyser made a motion to approve the 2019 West Rockhill Township Budget seconded by Mr. Duvall and carried.**

Old Business

Mr. Miller announced that Penn DOT had made requested improvements to Finland Road and showed Power Point slides.

Adelphia Compressor Station

Mr. Miller announced that Representative Staats and Fitzgerald sent letters to the state of PA. Residents were asked to send letters to Governor Wolf and FERC. Mrs. Eberle offered to provide addresses and the website will be posted. Public comment was taken. Tony Boegner informed BOS that the DEP website was down. Vera Cole offered assistance to residents to do an online petition.

Don White asked for more signage on Allentown Road and banning trucks. The Manager advised that Allentown Road is a state road and WRT can not determine policy, only make a request. Mr. Keyser stated it was his understanding that trucks could not be restricted on that road. There was a discussion about the Allentown Road bridges with no decision reached. Mr. Miller and the Manager announced that Penn DOT is doing the Septa line bridge under Route 309 in spring.

New Business: none

Public Comment - Mr. Miller announced comments would be heard for two minutes per comment.

Judy Benninger asked if there were any ordinances around the gas compressor station and asked how many pipelines there were. The Solicitor and Mr. Keyser agreed that any Township ordinance would take away the rights of property owners. Mr. Keyser stated that Adelphia would meet with residents individually and he offered to meet with them. Mr. Duvall responded that there are two pipelines and noted that his group is meeting with Adelphia.

Cliff Cole asked who is meeting with Adelphia and if a town hall meeting could be held with our federal representatives. Mr. Duvall stated that they have gone on record already as opposed and that he has formed a group of 6 or 7 residents on opposition. Mrs. Eberle noted that Adelphia changed their plan due to BOS comments.

Marilyn Vogel cited a clean air article.

John Sweriduk asked if the Comprehensive Plan would be approved. BOS responded that they would address that in January.

Lynn Crouthamel had comments about trucks on Allentown Road.

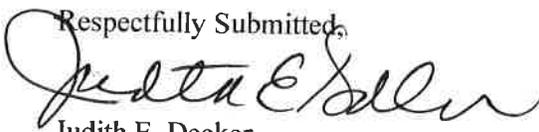
Tony Boegner asked if WRT could file suit against Adelphia for health, safety and welfare. There was discussion with Mr. Duvall stating there was not enough information and no design completed yet. He noted that there was a safety meeting held.

Don White again asked for a truck ban on Allentown Road. Mr. Miller responded that they would look into it.

Lynn Crouthamel has suggestions for Allentown Road.

There being no further business, a motion for adjournment was made by Mr. Keyser seconded by Mr. Duvall and carried at 9:56 p.m.

Respectfully Submitted,



Judith E. Decker
Secretary

West Rockhill Township Board of Supervisor's Meeting, Dec 19, 2018
Vera Cole, 2045 Upper Rocky Dale Road, veracole@comcast.net, 215-219-7908

I would like to request that these comments be read into the record. Thank you.

Hello, My name is Vera Cole. I live at 2045 Upper Rocky Dale Road. I appreciate the opportunity to speak with you tonight. Thank you for your service to the community.

Earlier this year, the actual cost of providing health care benefits to our supervisors was inadvertently uncovered in an unrelated open records request made by another township resident. The amount was surprising and stunning, calling attention to the issue, raising questions and prompting more right-to-know requests. It is only because of these ongoing right-to-know requests, to which the Township is legally bound to respond, that we now know that the 2019 Township budget includes \$89,218 for medical and dental coverage for our three supervisors and their spouses. While I have many concerns related to this issue, my comments and questions tonight are about transparency.

Though township supervisors are not employees, Pennsylvania state code says they are eligible to participate in group healthcare plans offered to employees, including Medicare for those who are 65 or over. The code specifies procedures for exercising this choice.

Supervisors are required to submit "a letter requesting participation [in health care plans] at a regularly scheduled meeting of the board of supervisors before commencing participation." It took several right-to-know attempts, including appealing a township initial denial, but eventually the township disclosed the three letters submitted by West Rockhill supervisors to request health care coverage. Two of the letters were undated and the township could not provide meeting minutes that included a record of their submission. These undated and unrecorded letters are for supervisors who have been receiving healthcare coverage through the township since 2002 and 2006.

Another right-to-know request by a township resident provided a more detailed budget than is generally shared. It showed that salaries and wages are reported separately for the Governing Body, presumably supervisors, and for Administration, presumably employees. Yet, the budget has only one line item for Medical Insurance, and it is in the Employees Benefits section. By all appearances, the expense of health insurance for supervisors is being reported in the Employee Benefits section of the budget. Supervisors are not employees.

To look at the 2018 budget, it would seem that the total expense to the township for our Governing Body was \$26,800 including supervisor salaries, supplies, mileage and so forth. However when benefits for supervisors are included, the actual cost to the township for our Governing Body is over \$100,000. This true total cannot be discerned by looking at the budget.

While participation in group health care programs by township supervisors is allowed, doing so is a supervisor's choice. The vast majority of supervisors in neighboring townships do not take health insurance from their townships. If a supervisor does choose to take healthcare coverage

through the township, then all steps should be taken to minimize the cost to township residents, especially taking Medicare in place of private care as soon as a supervisor or spouse are eligible. Jim Miller's move to Medicare is saving the township tens of thousands of dollars a year, and he reports no downgrade in benefits or coverage.

As noted earlier, it was through an inadvertent discovery that the actual cost of healthcare coverage for supervisors was first revealed. Subsequent efforts to obtain real information have uncovered letters requesting participation that have no date, and were provided only after appealing to Harrisburg; no meeting minutes to support that the letters were submitted at a regularly scheduled meeting as required by code; and what appears to be an incorrect representation of these expenses in the budget as Employee Benefits. Together, these raise real questions of transparency and possibly procedural lawfulness.

So, while supervisors may argue that taking health care insurance through the township at taxpayers' expense is their right, and it is, knowing about it and its cost is our right.

To this end, I have two suggestions:

- 1) The code is not specific about how often a letter requesting participation in group plans be submitted—only initially or every year. I suggest that the Township adopt a policy requiring all supervisors submit a letter each year they are requesting participation and that the submission be recorded in publically available minutes. Would you consider doing this?
- 2) I request that the budget be corrected to show only employee benefit expenses in the Employee Benefits section and that the expense of benefits for non-employees be reported separately. There are number of satisfactory ways this may be accomplished—perhaps best would be simply adding a Non-Employee Benefits section to the budget. Would you consider doing this?

Thank you.