



MILLCREEK TOWNSHIP

BOARD OF SUPERVISORS

www.millcreektownship.info • millcreektwp@comcast.net

81 East Alumni Avenue • Newmanstown, PA 17073-9159 • Ph: 610-589-4750 • Fax: 610-589-9923

MINUTES OF MARCH 8, 2023

The meeting was called to order at 7:00 P.M. by Chairman Dan K. Hogeland, commencing with the Pledge to the Flag.

Present: Dan K. Hogeland, Chairman
Eric J. Weidman, V. Chairman
Scott Moyer, Supervisor
John D. Enck, Solicitor
Lorie J. Kupp, Sec./Treas.

PUBLIC COMMENTS:

Karen Krater – was present with concerns regarding Comcast and their address. They have their personal address and emergency call, oil trucks etc. have been coming to their home. Secretary explained that she gave them an address about a month ago.

Scott Adams manages the Trout Nursery for the Rod & Gun, and found a lot of plastic and trash along the creek. He believes it is coming from across the street from Trigon Plastic's. He feels someone should remind them not to let their plastic go across the street.

REPORTS OF ORGANIZATIONS:

Planning Commission – Karen Krater present with report. Concerns with the Womelsdorf 419 intersection were discussed at their meeting. They have begun work on the Solar Energy section of the zoning ordinance.

Recreation Board – minutes received.

Newmanstown Water Authority – minutes received.

Greater Lebanon Refuse Authority – minutes were received.

Western Berks Ambulance Assoc. report received.

Police Activity Report was received.

MINUTES: Motion by Weidman to approve as printed. Seconded by Moyer. All aye, motion carried.

SOLICITOR:

Sample cat ordinances were reviewed. Ownership definitions and enforcement procedures were discussed. Solicitor cautioned the Board that an ordinance could also apply to farms and farmers. Solicitor will begin work on a draft for further discussion.

Comcast franchise renewal – Solicitor explained that he finally received a response from Eric Wilden this afternoon but he hasn't had time to go over it yet.

Police Policies & Procedures – Taser Handling & Deployment Policy was presented to the Board for their consideration. **Motion by Weidman to adopt the Taser Handling and Deployment Policy as part of the Millcreek Township Police Department Policy and Procedure Operations Manual. Seconded by Moyer. All aye, motion carried.**

Refund of Realty Transfer Tax “qualified beginning farmer” was discussed. The request from the Raeu Eberly Estate for ½ of the Realty Transfer tax was discussed. Solicitor confirmed that the Pa Dept of Revenue issued the states portion of the refund to the Rambachers’. But learned the Dept. has since issued a bulletin and a form updating their procedures for processing the request for refunds. Solicitor advised that the Eberly Estate could be refunded the Township’s share of \$5,000. The Jeremy & Linda Horst request for refund from - \$7,530 was discussed. The burden of proof should fall to the party applying for the refund, so Solicitor has devised a form similar to the PA Dept. of Revenue’s form. The Horst’s should request consent for the entire refund from The Luther Bennetch Trust, which would be notarized, before the Township grants the refund. **Motion by Weidman to adopt the Millcreek Township, Lebanon County, Pennsylvania Realty Transfer Tax Refund Consent form for the qualified beginning farmer. Second by Hogeland. All aye, motion carried. Motion by Hogeland to direct Solicitor to proceed with the Horst’s using this form. Seconded by Weidman. All aye, motion carried. Motion by Weidman to approve the reimbursement of the Realty Transfer tax to the Raeu L. Eberly Estate in the amount of \$5,000. Seconded by Moyer. All aye, motion carried.**

8:22 PM Executive Session: Motion by Hogeland to go into Executive Session to discuss the police contract. Seconded by Weidman. All aye, motion carried.

Back in Session: 8:50 PM

ACTION:

UNFINISHED BUSINESS:

Assistant EMA Coordinator – Jeff Warner resignation was read. **Motion by Weidman to accept the resignation from Jeff Warner. Seconded by Moyer. All aye, motion carried.** Secretary to send thank you letter.

CoStars 2022/2023 Salt Contract enrollment quantities discussed. **Motion by Moyer to participate in the CoStars 2023/2024 contract agreement for 300 Tons. Seconded by Weidman. All aye, motion carried.**

NEW BUSINESS:

Survey of Financial Conditions & 2023 Purta Tax form was filed with DCED and reviewed.

2023 Stone Bid & blacktop –was discussed. (2022 contracts expire April 15th) (Requirements: 100–ton of 19 mm blacktop, 500-ton 9.5 mm blacktop, 500-ton anti-skid, 200-ton 2A modified, 100-ton #4 stone: **Motion by Hogeland that we advertise for bids for 500-ton anti-skid, 200-ton 2A modified, 100-ton #4 stone, and blacktop 500-ton 9.5 mm, and 100–ton 19 mm blacktop, bid to be opened at April 12th meeting at 7:15 P.M. Seconded by Weidman. All aye, motion carried.** Resolution #3-8-23 Escalator Clause for bituminous materials was presented to the Board for their consideration. **Motion by Hogeland to adopt Res. 3-8-23, the Escalator Clause for price adjustment of bituminous materials for small quantities. Seconded by Weidman. All aye, motion carried.**

Lawn Care Proposal – Green Acres quote was reviewed and discussed. Municipal Building – 3 applications, Spring Summer & Fall – crabgrass, broadleaf and grub control + fertilizer - \$2,370, Arborvitae \$300. Memorial

Park - 3 applications, Spring Summer & Fall – crabgrass, broadleaf and grub control + fertilizer - \$675. Newburg Rec Area – broadleaf control \$1,350. No pricing received from Tomlinson Bomberger this year. **Motion by Hogeland to enter into agreement with Green Acres Lawn Care as per the price sheet. Seconded by Weidman. All aye, motion carried.**

Portable Rest Rooms – Quote - Associated Products Services \$88 per month. Walters 2022 price was \$91 a month. Secretary to proceed once pricing received from Walters.

2023 County Aid Projects discussed. **Motion by Weidman to apply for the 2023 County Aid for various road projects in the amount of \$4,368. Seconded by Moyer. All aye, motion carried.**

Kountry Kraft Kitchens annual donation was received. Secretary to send thank you letter.

BILLS/TREASURERS REPORT: Motion by Hogeland to accept the Treasurers Report and pay the bills, as money is available. Seconded by Weidman. All aye, motion carried.

ADJOURNMENT: Motion by Weidman to adjourn the meeting at 9:10 P.M. Seconded by Moyer. All aye, motion carried.

WITNESS:

Lorie J. Kupp, Sec./Treas.

Dan K. Hogeland, Chairman