

**Eldred Township Supervisors
Regular Meeting
December 14, 2022**

This meeting was held at the Eldred Township Municipal building.

Call to order at 4:29 PM by Chairman Greeley.

The meeting was opened with a salute to the flag.

Roll Call: Supervisors John MacBeth, Lawrence Ross and Gordon Greeley were in attendance

PUBLIC COMMENT PERIOD:

Chuck Northey is concerned about the activity on a parcel of land near his house. He said that there is a lot of junk there and that it seems people are living there full time. He has concerns about there being a septic system on the lot and where it may be draining because there is a water source near the parcel. He said that he contacted the Jefferson County Conservation Office and they gave him the number for a contact at DEP. Chairman Greeley suggested that Mr. Northey call the DEP and possibly the township's Sewage Enforcement Officer, Russ Braun. Mr. Northey said that he'll call DEP and let the Supervisors know what he finds out.

Jean Dush asked if the township's Auditors need to have their hours approved before they can submit them to the township for payment. Supervisor Ross said to turn them in and the township will pay them. They don't have to be approved.

A motion to approve the **November 9, 2022 Minutes** and the **Treasurer's Report** was made by Supervisor MacBeth. The motion was seconded by Supervisor Ross.

Vote: 3 ayes. Motion carried.

Total Receipts (November 1, 2022 to November 30, 2022): \$33,091.35

Total Expenditures (November 1, 2022 to November 30, 2022): \$41,131.03

A motion to approve payment of the invoices for November 2022, in the amount of \$29,617.10, was made by Supervisor MacBeth. The motion was seconded by Chairman Greeley.

Vote: 3 ayes. Motion carried.

A motion to approve payment of the payroll expenses for November 2022, in the amount of \$11,513.93, was made by Chairman Greeley. The motion was seconded by Supervisor Ross.

Vote: 3 ayes. Motion carried.

ROADMASTER REPORT:

Supervisor/Roadmaster Ross said that they are getting the trucks ready for winter. The roads were pre-treated today in anticipation of the weather expected. Everything went fine with the first snow fall. The new truck will need replacement tires because the ones that are on it now are bad for winter. Replacement shoes and adjusters were purchased for the snowplow. They would have cost \$900.00 per side for new ones, but Supervisor/Roadmaster Ross said that he was able to find a used set for \$200 from another township. There was a water problem last month on Catholic Church Road. The underdrain was bored into during the water line expansion and water was running down the road. Supervisor/Roadmaster Ross called Roto Rooter to come diagnose the problem and Simpson Excavating to dig up the problem area. He sent pictures of the damages to David Neill at Eads Group. David didn't contest the damages and Supervisor/Roadmaster Ross was told to send the bills to Eldred Township Municipal Authority (ETMA). He was also told to send the bill for repairs to Beers Road to ETMA.

UNFINISHED BUSINESS:

1. New Building

Chairman Greeley said that he talked to three different people about getting a drawing of the proposed new building with a stamp. The County Commissioners' Office gave him the name and number of a firm in Altoona that they use, and he said he called them and was told that it would cost roughly \$6,000 for a drawing. He said that a second guy quoted him \$600 to \$650, and a third quoted him around \$1,000. The township needs

a drawing with an engineer or architect stamp before advertising a bid opening. Chairman Greeley said that the proposed new building needs to be approximately 48' X 54' X 14' with four overhead doors and a man door. He said that Bureau Veritas told him that since it's just a storage building, the township would only need a utility permit that will cost around \$4 to \$6. Chairman Greeley said that people have asked him if the township has to pay prevailing wage. Supervisor Ross said that the advertisement will state that the contract will require the contractor to pay prevailing wage to employees. Chairman Greeley said that they will pay to get the drawing and a stamp so that the township can move forward with advertising the job for bids.

2. 2023 Budget

A motion to adopt the Preliminary 2023 Budget as the final 2023 Budget was made by Chairman Greeley. The motion was seconded by Supervisor MacBeth.

Vote: 3 ayes. Motion carried.

NEW BUSINESS:

1. Resolution 2022-6 – The JCTCC Operating Budget

The Jefferson County Tax Collection Committee (JCTCC) submitted their 2023 Operating Budget to the member townships for approval. The budget has total revenues of \$6,000 and total expenses of \$6,000. A motion to approve the 2023 JCTCC Budget was made by Chairman Greeley. The motion was seconded by Supervisor Ross. Vote: 3 ayes. Motion carried.

2. Resolution 2022-7 – Appointing 2023 Voting Delegates for Eldred Township to the 2023 Tax Collection Committee (JCTCC)

The Supervisors appointed Lisa Kelso as the 2023 primary voting delegate. Supervisor Lawrence Ross was appointed as the 2023 first alternate voting delegate, who will attend meetings when the primary voting delegate is unable. Supervisor John MacBeth was appointed as the 2023 second alternate voting delegate, who will attend meetings when both the primary voting delegate and the first alternate voting delegate are unable.

A motion to approve the appointed 2023 voting delegates was made by Chairman Greeley. The motion was seconded by Supervisor Ross. Vote: 3 ayes. Motion carried.

3. Discussion on the vote to be cast by the Eldred Township JCTCC voting delegate regarding the funds that JCTCC sets aside for possible litigation.

The JCTCC sent a letter to the Supervisors explaining that there is a balance of \$50,175.20 in their holdings that is set aside in case anyone would sue the Committee and it would have to pay a lawyer. The letter explained that there have been no lawsuits in the 10 years that the JCTCC has existed, they pay for liability insurance every year, and a Berkheimer representative told them that only a person wanting a return of their taxes would sue and that the returned funds would come from the municipality and not the Committee. Chairman Greeley said that the township doesn't set aside any money for possible litigation. A motion to have the delegate vote against setting aside funds for litigation was made by Chairman Greeley. The motion was seconded by Supervisor MacBeth. Vote: 3 ayes. Motion carried.

4. The Greater Jefferson Area Council of Governments (COG) 2023 Budget

The Greater Jefferson Area Council of Governments (COG) submitted their 2023 Budget to the member municipalities for approval. The budget has total revenues of \$21,400 and total expenditures of \$21,400. A motion to approve the Greater Jefferson Council of Governments 2023 Budget was made by Chairman Greeley. The motion was seconded by Supervisor MacBeth. Vote: 3 ayes. Motion carried.

5. Appointing 2023 Delegates for Eldred Township to the Greater Jefferson Council of Governments (COG)

The Supervisors appointed Lisa Kelso as the 2023 designated delegate. Supervisor Lawrence Ross was appointed the 2023 first alternate delegate, who will attend meetings when the designated delegate is unable. Supervisor/Chairman Gordon Greeley was appointed the 2023 second alternate delegate, who will attend meetings when both the designated delegate and the first alternate delegate are unable.

A motion to approve the appointed 2023 delegates was made by Chairman Greeley. The motion was seconded by Supervisor Ross. Vote: 3 ayes. Motion carried.

6. Resolution 2022-8 – Setting the 2023 Real Estate Tax Levy

The Supervisors decided to keep the tax rates the same as those in 2022. The municipal real estate tax rate for general purposes was set once again at 3.1 mills, or \$0.31 (thirty-one cents) on each \$100.00 of assessed value. The fire protection tax rate was set once again at 0.5 mill, or \$0.05 (five cents) on each \$100.00 of

assessed value. The total tax to be collected will be 3.6 mills. The discount was once again set for 0.2% and the penalty was once again set for \$0.1%.

A motion to adopt Resolution 2022-8, setting the real estate tax levy, was made by Chairman Greeley. The motion was seconded by Supervisor Ross. Vote: 3 ayes. Motion carried and Resolution 2022-8 was adopted, setting the tax rate for general purposes at 3.1 mills and the tax rate for fire protection at 0.5 mill.

7. 2023 Eldred Township ATV Permit Application

Chairman Greeley said that people have suggested to him that the Supervisors raise the permit fee for non-residents. Supervisor Ross said that he has no problem with the current \$20 fee, but if the amount is raised at all he would suggest just \$5.00. He said that the permit fee does provide some funding for dust control and other road maintenance. No action was taken on the permit fee. The 2023 application adds a signature line for the applicant to agree to follow all rules and regulations. Supervisor MacBeth asked if the township has a generalized noise ordinance or if the township just follows the state noise laws. Chairman Greeley said that the only way to enforce a noise ordinance or law would be to contact the state Department of Transportation. A motion to approve the 2023 Eldred Township ATV Permit Application, as presented, was made by Chairman Greeley. The motion was seconded by Supervisor Ross. Vote: 3 ayes. Motion carried.

8. Eldred Township Municipal Authority's Request to Extend the 90 Day Period for Mandatory Tap-In

The Eldred Township Municipal Authority (ETMA) sent a letter to the Supervisors requesting a vote to approve an extension of the 90-day period for tap-in to the water line expansion. The second 90-day period, as per Ordinance Number 1-2022, ends on December 23, 2022. The letter states: "There are extenuating circumstances either by the contractors' schedules, by the weather, or by the financing through the Community Development Block Grant (CDBG)." Supervisor Ross said that it is up to ETMA to come to the Supervisors with situations where there are people not hooked up. Supervisor MacBeth asked if the township is allowing a 90-day extension. Supervisor Ross said, "yes." Chairman Greeley said that state law mandates hook-ups. A motion was made by Chairman Greeley to approve an extension of the tap-in period for an additional 90 days, or however long ETMA decides is necessary, on a case-by-case basis. The motion was seconded by Supervisor MacBeth. Vote: 3 ayes. Motion carried.

9. Appointing Maurice Frankhouser, as per ETMA's Memo, to the ETMA Board of Directors

ETMA sent a memo to the Supervisors requesting a board member appointment. The memo listed Maurice Frankhouser's name and the term date of 1/1/2022 to 1/1/2028. Supervisor Ross asked if anyone knew someone who may be interested in getting on the ETMA Board of Directors. No one replied.

The ETMA memo also listed current members and possible future appointments to be requested:

Sue Boring – appointed 2022 (term expires 2027)

Maurice Frankhouser – requesting appointment 2023 (term would expire 2028)

Jim McNutt – possible appointment 2024 (term would expire 2029)

Rosalee Steele – possible appointment 2025 (term would expire 2030)

Rodney Thomas – possible appointment 2026 (term would expire 2031)

A motion to appoint Maurice Frankhouser to the Eldred Township Municipal Authority Board of Directors for a five-year term beginning on January 1, 2023 and ending on January 1, 2028, was made by Chairman Greeley. The motion was seconded by Supervisor Ross. Vote: 3 ayes. Motion carried.

10. Letter from 2022 Solicitor Jay Lundy, Esquire

The current township solicitor, Attorney Jay P. Lundy of Lundy & Lundy, sent a letter expressing interest in being appointed the township's solicitor for 2023. The letter states that his hourly rate for municipalities would increase to \$160.00. Supervisor MacBeth asked if Attorney Lundy charges a retaining fee or if he bills by the hour. Supervisor Ross and Chairman Greeley responded that he bills by the hour and does not charge a retaining fee. The solicitor for 2023 will be appointed at the Reorganization Meeting in January, and the change in fee was noted.

11. Email from 2022 Sewage Enforcement Officer Russ Braun

The current township Sewage Enforcement Officer (SEO) Russ Braun sent an email to the Supervisors expressing interest in being appointed the township's SEO for 2023. The email also contained a proposed SEO Fee Schedule that was adjusted for inflation. Russ Braun asked the Supervisors to note that his SEO fees are still well below other sewage agencies. His proposed 2023 fees are:

- \$675.00 per application to process a Sewage Permit Application (includes soil probes, perc. test, design review, issuance of permit, and final inspection)
- \$325.00 per application for repair/modification permits (includes site visit & follow-up inspection)
- \$135.00 per visit (plus any additional costs) to investigate complaints/malfunctions
- \$75.00 per extra visit to return to a lot that was improperly prepared by the owner/s
- \$125.00 per visit to inspect holding tanks and perform other inspections

- \$125.00 to reissue an expired permit
- \$75.00 per hour for misc. work

He also included a schedule of costs for subdivision and DEP Planning Module work.

Chairman Greeley noted that the township went with Russ Braun initially because his fees were less than the previous SEO's fees. Supervisor Ross said that he hasn't had any complaints about Russ and thinks he does a good job. He also added that Russ is easy to get a hold of. The SEO for 2023 will be appointed at the Reorganization Meeting in January, and the adjustments in fee were noted.

12. Revised Pennsylvania Municipal Retirement System (PMRS) Minimum Municipal Obligation (MMO) Worksheet

Lisa Kelso explained that PMRS sent an email to the township stating that PMRS recently found that they had miscalculated the "normal cost" rate listed on the original MMO Worksheet that was sent to the township in September. The email stated that the normal cost rate PMRS provided on the original MMO Worksheet issued to the township did not include the disability cost rate. PMRS sent a revised MMO Worksheet that included the revised normal cost rate and was prefilled with the information supplied by the township on the MMO Worksheet that was submitted to PMRS in September. The calculations on the revised MMO Worksheet are based on the revised normal cost rate supplied by PMRS. The revision caused a \$47.00 increase in the amount owed by the township. The minimum municipal obligation on the revised MMO Worksheet is \$9,381.00.

OTHER SUPERVISOR COMMENTS OR CONCERNS:

Supervisor MacBeth said that Big Dam Road is being damaged by rainwater. Supervisor/Roadmaster Ross said that the road crew could put some limestone on it and try to build it up. He said that they didn't get to Big Dam Road this summer. Supervisor MacBeth said that it was for future discussion.

Supervisor/Roadmaster Ross presented a quote dated December 9, 2022 from Chemung Supply Corporation for an 1800 HTC Conveyor and a Moon Paver. The quoted conveyor price was \$12,426.00 and the quoted moon paver price was \$4,560.00. The prices are good for 30 days from the date on the quote form.

Supervisor/Roadmaster Ross explained that the conveyor is a belt feeder and that the one the township currently has is almost shot. The moon paver bolts onto the side of the truck and puts aggregate where you need it and could be used to fix the berms and blacktop. He said it would probably cost around \$300,000 for berm work if it is bid out. The acquisition of a moon paver would allow the township road crew to do the work themselves. Supervisor/Roadmaster Ross said that these are things that the township needs and that they have been talked about before but were never purchased. He said he will call for quotes on other ones and keep watching Municibid to see what may come up.

Chairman Greeley adjourned the meeting at 5:44 PM.

The year-end meeting will be held immediately following this meeting.

The reorganization meeting will be held at the Eldred Township Building on January 3, 2022 at 4:30 pm, with the next regular meeting to be held immediately afterward.

Lisa Kelso
Secretary