

## **North Middleton Township Board of Supervisors May 6, 2010**

The meeting of the North Middleton Township Board of Supervisors was held at the Township Municipal Building, 2051 Spring Road, Carlisle PA on May 6, 2010. Chairman Robert Reisinger called the meeting to order at 6:00 p.m. Board members present were Vice Chairman Harry Kelso, Supervisor Robert H. Shearer, Supervisor Richard A. Bucher, Supervisor James E. Hare, Solicitor Mark Allshouse, Manager Deborah A. Ealer, Police Chief Jeffrey Rudolph and Recording Secretary Lori A. Coleman.

Visitors: see attachment #1.

### **Public Comment / Hearing of Visitors**

No public comment offered.

### **Consent Agenda**

- a. **Meeting Minutes: 03/25/10 workshop; 04/01/10 action meeting; 04/01/10 Ordinance 2010.02 NMA Pre-Treatment Amendment Hearing**
- b. **Tax Collector Reports: 2009 Monthly Report: 2010 #2-6; March 2010 monthly report**
- c. **Payment of the bills: 04/16/10; 05/06/10**
- d. **Resolution 2010.04: Act 537 Special Study**
- e. **Fire Police Candidate Approval**
- f. **Resolution 2010.03: FEMA Grant Signatory**
- g. **Used Pumper/ Tanker Fire Truck Bid Award**
- h. **2010-2011 Road Materials Bid Award**

Supervisor Kelso moved to approve the consent agenda, and Supervisor Shearer seconded the motion. The motion carried.

### **Business of Township Officials**

#### **Township Manager**

##### **1. April Report**

Ms. Ealer presented her April report to the board. She discussed wiring problems within the building that are affecting computer usage to her office as well as the Ricoh copier. She met with Dave Lyons who had done similar work for the police department. The cost to replace the damaged wiring is \$1180 which would come out of the 2010 building maintenance account. Supervisor Bucher asked what happened. Ms. Ealer said it was moisture within the ducts, and added the wiring is located in the floor. Supervisor Shearer mentioned a question from Doug Heiman concerning an extension on his plan located on the west end. Ms. Ealer noted no recent conversations with any developers, but would complete a follow-up to check on the date. Ms. Ealer mentioned directing the codes department to send a notification letter to the developers whose plans were close to expiration as a courtesy.

##### **2. Financial Report**

Supervisor Hare questioned the "mtg" coding listed on the report. Ms. Ealer noted she would remove the "mtg" from the report.

**3. Police Overtime Budget follow-up**

Ms. Ealer had a meeting with Chief Rudolph to discuss how they could use the accounting software to track overtime. They decided to create another account number that will appear as reimbursable overtime on the budget. She noted the police department participates in three grants: taskforce, buckle-up, and aggressive driver. When an officer works overtime under one of the grants, the officer will list the overtime along with the designated program on their timesheets. This way the overtime will be charged to a separate expense account. With the overtime that is being reimbursed, Ms. Ealer pointed out a line item did exist on the budget under revenues. Theoretically, the two accounts should balance out and provide a clearer explanation for the board. To correct the previous totals, Police Secretary Deb Stought went back and pulled all the officers time sheets since the beginning of the year to recalculate the hours, so they can be appropriately charged to the correct account. Supervisor Kelso mentioned the police department holiday wages. Ms. Ealer noted the officers get paid at a different rate for the holiday. He felt the first quarter totals were high. Chief Rudolph noted Ms. Stought was checking the time sheets. Supervisor Reisinger asked Ms. Ealer to complete a follow-up on the holiday wages.

**4. Medical Plan Update**

Ms. Ealer reviewed a draft update to the township's health insurance plan from Samantha Barton of Benecon. The updates are based upon the recent changes in the law. Previously, the board did not see the update when the Township had other health insurance providers. Since the board is using a different plan, the township completes all the paperwork and is responsible for making sure it is up to date. Ms. Ealer reviewed some of the specific updates with the board. Supervisor Kelso asked if it affected the premium. Ms. Ealer replied it has no affect on the premium. Supervisor Reisinger asked what would happen in the board did not sign the amendment. Ms. Ealer felt she would receive another request from Benecon seeking the amendment. Supervisor Reisinger noted the effective date of January 1, 2010 and mentioned his concern of the township just receiving the notification on April 16, 2010. Supervisor Shearer moved to authorize Ms. Ealer to sign the Plan Document Amendment #10-000. Supervisor Kelso seconded the motion, and the motion carried. Once signed and sent back, Ms. Ealer said the updates would be copied and distributed to staff.

**5. Bus Trip Information**

Ms. Ealer reviewed her memo with the board in which she provided a review of the bus trips from 2007-2009. With respect to detail on how the trips are handled, the township contracts with Lowees for the bus trips. Lowees organizes the trips, provides flyers and tour guides if needed. Recreation Director Sally Scharadin meets with Lowees on a regular basis to select trips she feels would be of interest. Ms. Ealer added the township utilizes Lowees because they contract with a private bus company which eliminates the liability for the township. The township is responsible for collecting the registration and money for each trip. If a trip does not have enough people registered, then it is canceled and funds are reimbursed. Generally, Ms. Scharadin travels on the trips to assure all the people get on and off the bus as needed, and to answer any questions. Ms. Scharadin indicated to Ms. Ealer that she works approximately 4 hours per trip which she records as comp time. She travels on 3-4 trips per year. Recently the township had an anomaly in

which Ms. McKillip went on the trip since additional stops were incorporated in the trip. Ms. McKillip worked more than the 4 hours. Overall, Ms. Ealer stated the township is not using any tax dollars for the bus trips which are attended by many township residents. Ms. Ealer noted it was part of the recreational opportunity provided by the township. Should the board want to change the program, Ms. Ealer recommended discussing it with the Recreation Board. When someone from the tour agency is not accompanying the tour and township personnel is the main contact, Supervisor Shearer felt the township had a liability. Solicitor Allshouse noted it was dependent on what the township personnel was doing. If she is acting as the tour guide for the day, then the township has a liability. If she is just checking to make sure the correct amount of people are on the bus, the liability is minimal. Solicitor Allshouse noted there is no way to have zero liability. Secondly, Supervisor Shearer asked Ms. McKillip when she started and returned from the recent trip. Supervisor Shearer noted the amount of comp hours for the trip was 25.5. He noted it was over three days of work, and use of township tax dollars. Ms. Ealer stated she was not working the entire time, and only had 12 hours of comp time. Supervisor Shearer noted she had to arrive early to check in people and then had a responsibility to make sure they returned. He noted it was 17 hours of responsibility for an employee. He also asked if it was going to become part of her job description. Ms. Ealer stated Ms. McKillip was training to take over the Recreation position. Supervisor Shearer and Supervisor Bucher inquired when that started. Supervisor Reisinger indicated it was known that Ms. Scharadin would soon be retiring so Ms. McKillip was being cross trained. Supervisor Reisinger asked if Ms. McKillip wanted to go on the trip or was she directed to attend. Ms. Ealer did not have that conversation with her. Supervisor Kelso asked if the trips were shared with other townships. Ms. Ealer stated sometimes. She added the township offered 8-9 trips a year. Ms. Ealer explained some of the duties Ms. Scharadin handles with the bus trips. Supervisor Shearer asked why Lowees doesn't provide the tour guide for the bus trips. Ms. Ealer said they do for some bus trips. Supervisor Shearer felt they should provide a tour guide for all the trips which would relieve the township from any responsibility. Ms. Ealer said it may be a possibility. Supervisor Reisinger verified it was 12 hours of comp time. Supervisor Shearer felt it was an inconvenience for the employee to work on a Saturday. Supervisor Reisinger pointed out the bus trips were not losing money. Supervisor Reisinger asked Solicitor Allshouse if the township reduced the bus trips, would the liability reduce. Solicitor Allshouse stated probably not. Supervisor Shearer said municipalities had no justification to be in a business that the private sector is in. He felt NMT was endorsing that NMT was a travel agency and NMT is a government entity. Supervisor Kelso felt most township's run trips. His only concern was the comp time involved. Since the township sets the price, Supervisor Kelso felt a fee should be added to cover the township person working. Ms. Ealer noted the township gets a price from Lowees and a few dollars are added to cover the administrative end. Supervisor Hare felt bus trips were part of the package offered to township citizens. Supervisor Reisinger asked if there were any complaints from other bus companies or travel agencies that the township is taking business away from them. Supervisor Shearer was not aware of any other complaints. Supervisor Bucher inquired if man hours were being used during the week to plan the trips. Ms. Ealer noted the planning and organizing of the trips are completed through Lowees. Just the registration and collection of money

was completed by staff. Supervisor Bucher asked if the township was the start and end point for the trips or were these specific trips for Lowees. Ms. Ealer stated they were both. Supervisor Bucher supported Supervisor Shearer in that a private business can serve the public better than a government entity when it comes to bus trips. Supervisor Kelso stressed the private agency does everything for planning the trips. The township only collects the registration and money. Ms. Ealer stated that the township contracts Lowees for the trips. Supervisor Bucher verified the township provides the start and end point and sometimes provides a chaperone. Supervisor Shearer felt the tour agency should provide the chaperones and the township should not be required to be the escort for the trips. If the township employees are going to act as escorts, then Lowees should pay the township staff as their independent escorts thus removing the township and the township employee from the liability. Supervisor Reisinger verified that Supervisor's Shearer concern is the township employee being involved with the bus trips. Supervisor Reisinger recommended the issue be forwarded to the Recreation Board to get their opinion. Supervisor Shearer added he would approach the Recreation Board with his concerns if needed. Supervisor Kelso noted every trip that he has attended had someone from the site that has acted as a chaperone.

#### **Block Re-zone Hearing #2007-05**

See attachment.

#### **Chief of Police**

Chief Rudolph presented his April report to the board. First, the department just received the new radios and staff attended three hours of training for their operation. They are currently in use. Secondly, the laptops just arrived, and he would provide a demo as soon as they were up and running. Thirdly, he just received notification that the new police vehicle would arrive tomorrow. Supervisor Hare inquired if the grant application for the car video systems was submitted. Chief Rudolph noted it was sent today. Finally, Chief Rudolph noted the Compact Car show was slated for this weekend. He said an extra officer would be provided during the evening hours. Chief Rudolph discussed some of the previous incidents related to this show. Supervisor Shearer questioned if the department had any assists from the Pennsylvania State Police (PSP) in South Middleton Township. Chief Rudolph noted it has been a long time since the department had assisted in SMT. Supervisor Kelso asked if the department completes a follow-up on the 911 hang up calls. Chief Rudolph said the department was required to do a follow-up.

#### **Solicitor's Report**

Solicitor Allshouse presented his April 2010 report to the board.

#### **New Business**

##### **a. Tax Assessment**

Supervisor Shearer mentioned the new tax assessments came out this week. He received a call from a businessman who indicated that his property taxes went up substantially. Supervisor Shearer wondered how the tax increase will affect the commercial businesses in the area. Supervisor Reisinger asked Solicitor Allshouse about the township's roll in advocating the county. Solicitor Allshouse noted the township could advocate to the county.

The township receives notification of any appeals, and is able to fight the appeal if desired. Supervisor Shearer wanted to bring the issue to the board's attention. Supervisor Reisinger noted it was not an across the board assessment. Some went up, others went down.

**Old Business**

**a. DEP Organic Recycling Grant Update**

Ms. Ealer noted she was waiting for the contract to be signed and returned by DEP.

**Executive Session**

Supervisor Reisinger noted an executive session would be held following the meeting to discuss a personnel issue and a potential litigation matter.

**Adjournment**

Supervisor Bucher moved to adjourn the May 6, 2010 meeting of the Board of Supervisors at 6:56 p.m. Supervisor Kelso seconded the motion, and the motion carried.

Respectfully submitted,

Deborah A. Ealer  
Township Secretary

Lori A. Coleman  
Recording Secretary