

LOWER TOWAMENSING TOWNSHIP SUPERVISORS REGULAR MEETING MINUTES

Tuesday, December 5, 2023 at 7:00 p.m., Township Office  
595 Hahns Dairy Road, Palmerton, PA 18071

**CALL THE MEETING TO ORDER:** Chairman Brent Green called the meeting to order at 7:00 p.m. Members of the board present were Brent Green, Connie Brown, Mike Takerer and Solicitor Nanovic.

**BILLS TO BE RATIFIED & EXPENDITURES:**

Supervisor Takerer moved and Supervisor Brown seconded to ratify the bills that were paid - General Fund bills - \$51,993.61 & Lighting Fund bills - \$700.68 and to pay the General Fund bills - \$36,644.90 & Sanitation Fund bills - \$24,295.33. All voted yes. Motion passed.

**MINUTES:** Approve October 3, 2023 & November 7, 2023 Regular Meeting Minutes & October 19, 2023 Special (Budget) Meeting Minutes.

Supervisor Takerer moved and Supervisor Brown seconded to approve the October 3, 2023 & November 7, 2023 Regular Meeting Minutes & October 19, 2023 Special (Budget) Meeting Minutes. All voted yes. Motion passed.

**BUSINESS FROM PERSONS PRESENT:**

No business from person present.

**TREASURER'S REPORT**

**GENERAL FUND**

Balance 09.30.2023	878,828.95
Receipts	419,525.71
Expenditures	<u>511,420.08</u>
Balance 10.31.2023	786,934.58

**GARBAGE FUND**

Balance 09.30.2023	975,233.72
Receipts	39,309.98
Expenditures	<u>30,106.65</u>
Balance 10.31.2023	984,437.05

**CAPITAL PROJECTS FUND**

Balance 09.30.2023	87,510.35
Receipts	321.82
Expenditures	<u>0.00</u>
Balance 10.31.2023	87,832.17

**FIRE FUND**

Balance 09.30.2023	2,727.41
Receipts	350.89
Expenditures	<u>0.00</u>
Balance 10.31.2023	3,078.30

**LIQUID FUELS FUND**

Balance 09.30.2023	446,385.55
Receipt	937.54
Expenditures	<u>385,886.75</u>
Balance 10.31.2023	61,436.34

**HYDRANT FUND**

Balance 09.30.2023	21,001.45
Receipt	96.62
Expenditures	<u>249.75</u>
Balance 10.31.2023	20,848.32

**LIGHT FUND**

Balance 09.30.2023	10,814.25
Receipts	94.82
Expenditures	<u>698.21</u>
Balance 10.31.2023	10,210.86

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**Supervisor Brown moved and Supervisor Takerer seconded to accept the Treasurer's Report. All voted yes. Motion passed.**

### **TAX COLLECTOR'S REPORT**

October 2023 - Real Estate (G.F.)	\$1,114.07
Fire	\$327.00
Light	\$0.00
Hydrant	\$0.00
Per Capita (G.F.)	<u>\$179.70</u>
Total	\$1,620.77

### **SUPERVISOR'S BUSINESS:**

**a. Adopt Proposed 2024 Budgets - General Fund – balanced at \$926,140.34**

**Supervisor Takerer moved and Supervisor Brown seconded to adopt the 2024 budget. All voted yes. Motion passed.**

**b. Maxine Scherer – Tax Collector – Late notices – reimbursement fee request**

Solicitor Nanovic stated how he was not sure what that reimbursement was for because they already supply the ink, the paper, the envelopes and the postage. Supervisor Takerer asked if there was a form that was printed out or if it was something that the tax collector had to create. Chairman Green stated how it was a form letter that was sent out. He stated how she could just resend the tax bills. Supervisor Brown stated how the computer had it already figured out. She stated how the County, Township and School taxes were listed on that delinquent letter. Supervisor Takerer asked if there was a question on the \$1.50 per bill. He asked if that was included in her \$3,000.00 per year. Solicitor Nanovic stated how she was already paid for her time but she was asking for reimbursement of expenses, but she was provided the supplies (ink, paper, envelopes, postage). Chairman Green stated that the base salary, was her salary. He stated how they were not able to change that until the election year. Supervisor Brown stated how she did not think that they were allowed to raise it. Chairman Green stated that they were not allowed to be over 5% because of their population. He stated how they were close to the 5% when they were at the 1.6 mills and they kept it at the flat rate of \$3,000.00. Supervisor Brown stated how they also supply the office space, office supplies and paid the phone line. She stated how the Township pays for the envelopes and the postage to send out the tax bills for the Township.

Supervisor Takerer stated that he did not know if she was getting paid enough to do the job. He stated how other tax collectors were getting paid differently. Supervisor Takerer asked what was being collected in taxes compared to what she was getting paid; compared to what the percentages were being utilized by other municipalities. He stated how there was a pretty broad range as to what municipalities were paying; from 2% - 5%.

Chairman Green stated that it appeared that she was trying to be paid an additional fee for the time she put in for mailing the late notices. He stated how they were not able to pay for compensation but they could pay for the materials. Chairman Green stated how they had already established the Resolution for her term. Secretary-Treasurer Ahner stated how she had just purchased a new ink cartridge for her and gave her a ream of paper. She stated that the Township had reimbursed her for 1,000 stamped envelopes in February. Supervisors discussed the percentages that Tax collectors received in other municipalities and when they were able to increase/change the tax collectors pay rate.

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Maxine Scherer addressed the board in regards to her pay rate and sending out the late notices. She stated that she was supposed to collect \$257,009.21 in 2023 and as of that date she had collected \$235,406.67. Ms. Scherer stated that if she would have received 5%, she would've received \$11,770.33, but she is only getting paid \$3,000.00 for the year. She stated how the Township had provided her with the paper in the ink and asked if she should not be paid for her time to mail out the late notices. Ms. Scherer stated how there were 166 late notices, which she had to run the report, print them out, fold them and stuff the envelopes. She stated how there were 169 late notices for the County and they did not have an issue reimbursing her. Ms. Scherer stated how she was the only Carbon County tax collector who gets paid a flat amount. Chairman Green stated how they were legally only allowed to reimburse for costs incurred for materials and supplies. He stated how they cannot reimburse her for her time for sending out the late notices. Solicitor Nanovic stated how they (the Township) could change it, but it would not start until the next term for office. He stated how they could not change in the middle of the term. Ms. Scherer stated how she was doing so much in getting paid so little. Chairman Green stated how they were not disputing it, but there was nothing they could do. Supervisor Takerer stated that before the next election cycle they have to make a decision and adopt a resolution for the tax collectors pay rate.

### **c. Maxine Scherer – Tax Collector – Envelope & Postage purchase request**

**Supervisor Takerer moved and Supervisor Brown seconded to have the Township purchase the envelopes and postage for the tax collector. All voted yes. Motion passed.**

### **d. Maxine Scherer – Tax Collector – new check fee reimbursement request**

**Supervisor Takerer moved and Supervisor Brown seconded to reimburse the tax collector for the new check fee. All voted yes. Motion passed.**

### **e. Advertise January's Reorganizational & Regular Meeting – January 2<sup>nd</sup> at 3:00 p.m.**

**Supervisor Takerer moved and Supervisor Brown seconded to advertise the January's reorganizational meeting and January's regular meeting. All voted yes. Motion passed.**

### **f. Garbage waiver request – 70 Hunter Lane**

Chairman Green stated how there was no action to be taken because they need more information on when the property was vacated.

### **g. Pipe at 1015 Drift Road**

Chairman Green stated how the Township has been made aware that the pipe had been removed on an unknown date and time. Solicitor Nanovic stated about having the Road Master to go out and look at it. Supervisor Takerer stated that if the pipe would be in the Township's right-of-way, they should just install it. Chairman Green stated that if her driveway was caving in, that pipe was not going to fix her driveway.

## **CORRESPONDENCE:**

- Carbon Conservation – Architectural Polymers – NPDES Permit
- Aquashicola Volunteer Fire Department – Thank you for continued support
- Sheriff Sale – December 13, 2023
- DEP – New Enterprise Stone & Lime Co., Inc. – Surface Mining Permit/NPDES Permit

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### **SUPERVISOR'S REPORTS:**

- Supervisor Green

Chairman Green stated how the fire company had applied for a Statewide LSA grant and they were requesting the Township to be the sponsor of the grant. He stated how they also had to adopt a Resolution for the grant. Chairman Green stated how the grant was for new rescue tools and equipment.

**Supervisor Takerer moved and Supervisor Brown seconded to sponsor the grant and authorize a letter to that effect. All voted yes. Motion passed.**

**Supervisor Brown moved and Supervisor Takerer seconded to adopt the LSA Grant Resolution for the Fire Company. All voted yes. Motion passed.**

- Supervisor Brown – thanked Chairman Green for everything he had done for the Township.
- Supervisor Takerer – No report.

### **SOLICITOR JAMES NANOVIC:**

Solicitor Nanovic stated about the open position/vacancy on the Board as of January 1<sup>st</sup>. Chairman Green stated that they should start accepting applications/letter of interest to fill the position as the reorganizational meeting. He stated that if they do not appoint someone at the reorganizational meeting, they still have 30 days from January 1<sup>st</sup>, but they will not meet again until February.

Solicitor Nanovic stated how they had filed a citation against Blue Bridge, LLC because they had encroached upon Golf Road. He stated how a hearing was held in front of District Justice Kissner on Monday morning and they were found guilty of encroaching. Solicitor Nanovic stated how it was a \$300.00 fine and they could cite him again. He stated that his recommendation would be to send him another letter asking him to remove the debris and then sometime next year the board will have to determine if they want to sue him to have him remove it or the Township removes it and charges him for it. Chairman Green stated that he would suggest they send a notice of violation again and give him a time period to remove the debris and after which point, he would get cited \$300.00 a day for the obstruction.

Solicitor Nanovic asked about the developer's agreement for Blue Mountain Storage. Secretary-Treasurer Ahner stated how she thought that they were waiting on the financial securities for the agreement.

Angela Farrell asked if they were going to have Solicitor Nanovic attend the Zoning Hearing Board meeting on December 12<sup>th</sup> for the Short-term Rental for the property Covered Bridge Road. She stated that she was concerned because the application did not have any sketch plan attached.

**Supervisor Brown moved and Supervisor Takerer seconded to send Solicitor Nanovic to the Zoning Hearing Board meeting on December 12<sup>th</sup> to represent the Township for the 45 Covered Bridge Road, short-term rental special exception. All voted yes. Motion passed.**

Ms. Farrell asked Solicitor Nanovic if he had ever sent a letter to the resident at the corner of Fireline Road and Maple Street concerning the hedges. Solicitor Nanovic stated "no".

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**ROAD MASTER REPORT:**

- Received 50% of Dirt, Gravel, Low Volume Road Grant from County Conservation District

**ZONING REPORT**

- Jeffrey George – Minor Subdivision/Lot Line Adjustment
- ZHB Meeting – December 12, 2023 \$ 7:00 p.m. – Short-Term Rental 45 Covered Bridge Road
- STR – Denial Letter
- Carbon County Planning Commission – Jeffrey George Minor subdivision/lot line adjustment review letter
- Attorney Holly Heintzelman – ZHB decision – Randy Anthony, Bed & Breakfast – Special Exception Request Approved.
- Planning Commission October 12, 2023 meeting minutes
- Hanover Engineering – Strohl review letter

**CLOSING BUSINESS FROM PERSONS PRESENT:**

Ms. Farrell asked about the Hannover Engineering bills. Secretary-Treasurer Ahner stated how they did not send her all of the bills in August; so total amount was the combination of the August bills and the November bills.

**Chairman Green moved and Supervisor Takerer seconded to enter into an executive session for personnel issues and possible litigation. All voted yes. Motion passed.**

**Township Supervisors entered into an executive session at 8:04 p.m. and existed at 9:05 p.m.**

**Chairman Green moved and Supervisor Brown seconded to give the Road Master a \$1.00 per hour pay increase and an additional week vacation, to give the Secretary-Treasurer a \$1.50 per hour pay increase, to give the full-time street worker a \$1.50 per hour pay increase and to increase the part-time as-needed plow drivers pay rate to \$30.00 per hour; effective January 1, 2024. All voted yes. Motion passed.**

**ADJOURNMENT:**

**Chairman Green moved and Supervisor Brown seconded to adjourn the meeting. All voted yes. Meeting adjourned at 9:10 p.m.**

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RoniSue Ahner  
Secretary/Treasurer