

**MINUTES  
BETHEL TOWNSHIP BOARD OF SUPERVISORS  
NOVEMBER 8, 2018**

The workshop was held from 7:00 p.m. until 7:26 p.m. to discuss agenda items.

The regularly scheduled meeting of the Bethel Township Board of Supervisors was held at 7:26 p.m. at the Bethel Township Building, 3015 S. Pine Grove Street, Fredericksburg, Pa with the following people present:

Shawn Hernley	Supervisor
Charles Mengel, Sr.	Supervisor
Richard Rudy	Supervisor
Melissa Johnson	Township Manager
John Enck	Township Solicitor
James McCarthy	Township Engineer

Also, in attendance were approximately ten audience members.

The Call to Order was made and the Pledge of Allegiance to the Flag was completed.

**COMMENTS** – James Shotzberger asked during the workshop if the maintenance crew would remove the old guiderail from the sidewalk and fill in the hole on the right side of the culvert before someone gets hurt.

**MINUTES OF THE OCTOBER MEETING** - Shawn Hernley made a motion to approve the October meeting minutes as presented, seconded by Richard Rudy. All voted in favor.

**ROADMASTER REPORT** - Roadmaster Rudy gave a brief report.

**Shirksville Road Bridge over Earlakill Run – Priority 1** - Richard Rudy made a motion to authorize the township engineer to move forward to have the necessary priority 1 repairs, to the rolled steel I-beam (Beam 2), completed on the Shirksville Road bridge over Earlakill Run, seconded by Shawn Hernley. All voted in favor.

**ENGINEERS BUSINESS** - Engineer McCarthy reported on the following:

**Horizon Drive - Mountain Stream Village Phase IV – Resolution 110818** – Shawn Hernley made a motion to adopt Resolution 110818- DEDICATION TO BETHEL TOWNSHIP OF HORIZON DRIVE, seconded by Richard Rudy. All voted in favor.

**Bell and Evans - Chestnut Hill Road Site Grading Project – Letter of Credit Reduction Request** – Richard Rudy made a motion to reduce the Bell and Evans letter of credit by \$2,781,346.80, as recommended by McCarthy Engineering with a retainage or balance of \$506,993.20, seconded by Shawn Hernley. Charles Mengel, Sr. abstained from voting due to being employed by Farmers Pride which is a company under Bell and Evans businesses. The motion carried.

**Farmers Drive Dirt and Gravel Road Projects Phase I and II** - Richard Rudy made a motion to accept the time extension of April 30, 2019 for the Farmers Drive Dirt and Gravel Road Projects Phase I and II, seconded by Shawn Hernley. All voted in favor.

**Sunset Drive Culvert – General Permit #7 and General Permit #11 Applications** – Shawn Hernley made a motion to apply for General Permit #7 and General Permit #11 for Sunset Drive and authorize the chairman to sign the applications, seconded by Richard Rudy. All voted in favor.

**SOLICITOR BUSINESS** - John Enck reported on the following:

**Jay and Miriam Weaver Ag Security Proposals 61 Pleasant Drive 45.14 acres and 63 Pleasant Drive 65.68** - The hearing notice was not published in the Lebanon Daily News on November 1, 2018 therefore the meeting has to be rescheduled to December 13, 2018.

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Richard Rudy made a motion to adjourn the meeting at 7:43 p.m. and to hold an executive session regarding Township Line Drive, which has the possibility for potential litigation, and to receive a legal explanation from Solicitor Enck, under subsection 5 of 708 of the Sunshine Law, on the State Ethics Commissions Advice of Counsel letters dated October 29, 2018 and the Weaverland Drive Stormwater Management legal opinion letter dated November 6, 2018, seconded by Shawn Hernley. All voted in favor.

Robin Getz commented that she respectfully disagrees with Solicitor Enck's interpretation of the Sunshine Law for the Weaverland Stormwater issues. Solicitor Enck stated there will not be any deliberation, but the Board can ask questions.

Shawn Hernley made a motion to reconvene the meeting at 8:44 p.m., seconded by Richard Rudy. All voted in favor.

**Township Line Drive** – No action at this time.

**State Ethics Commission** – Two Advice Counsel letters dated October 29, 2018, were received from the State Ethics Commission. One of the letters is labeled, Confidential – Not to be Disseminated to the Public and the other uses capital letters to refer to the individual, his position, and other related facts, which is public record and will be made available as such.

James Shotzberger stated he would like copies of the Advice of Counsel.

**Stormwater Issues – Weaverland Drive** – Solicitor Enck informed the Board it is up to them if they want to make his legal opinion public record. Richard Rudy made a motion to make the legal opinion letter from Solicitor Enck dated November 6, 2018 public information, seconded by Shawn Hernley. All voted in favor.

Supervisor Rudy asked Ms. Dorsey if there is anything more specific, she would like the Board to try to address, now that the legal opinion was received. Ms. Dorsey stated she submitted all her other questions to the township via e-mail.

Discussion was held with Wendy Dorsey and Robin Getz on the stormwater not functioning properly. They feel that since the swale at 31 Township Line Drive was altered by Mr. Weaver to correct their stormwater problem, it has caused problems for the other residents.

**CPA Firm** – Pending the December meeting.

**Addendum to Special Provisions to Contract MS-944 Between Bethel Township and H&K Group, Inc. Dated August 2, 2018** – Richard Rudy made a motion to approve extending the 2018 paving contract up and to 60 days after PennDot allows the 2019 paving season to begin, seconded by Shawn Hernley. All voted in favor.

**RECREATION REPORT** – None.

**FSWA REPORT** - None.

**FINANCIAL REPORT** – Richard Rudy made a motion to approve the Financial Report as presented in the meeting packet, subject to audit, seconded by Shawn Hernley. All voted in favor.

**BILLS PAYABLE** – Shawn Hernley made a motion to approve the Bills Payable as presented in the meeting packet, seconded by Richard Rudy. All voted in favor.

**OLD BUSINESS** – None.

**NEW BUSINESS**

**Advertisement of the 2019 Budgets** – Shawn Hernley made a motion to approve advertising the 2019 Budgets, seconded by Richard Rudy. All voted in favor.

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**HDC Housing Development – Beech Run Apartments – Proposed 51 Unit Workforce Housing Rental Community** – Richard Rudy made a motion to approve the Township Zoning Officer, Engineer and Manager to meet with the HDC Housing Development representatives, to answer their questions and if any questions cannot be answered, they will have to attend a Supervisor meeting, seconded by Shawn Hernley. All voted in favor.

**COMMENTS** – Mark Dunbar asked if anyone is monitoring the water that runs across Fredericksburg Road when it rains.

**ADJOURNMENT** - With no further business, Shawn Hernley made a motion to adjourn the meeting at 8:50 p.m., seconded by Richard Rudy. All voted in favor.

**Respectfully Submitted,**

**Melissa Johnson  
Secretary**