

Lower Alsace Township and Mount Penn Borough Consolidation  
Monday, June 9, 2014  
6:00 p.m. Antietam High School Cafeteria

The meeting of the Lower Alsace Township and Mount Penn Borough Consolidation was held on Monday, June 9, 2014 at the Antietam High School Cafeteria. The meeting was called to order at 6:00 p.m. by Mike Worrall.

Members of the Commission present were: James D. Oswald, Supervisor, Chair; John Theodossiou, Supervisor; Todd M. Weikel, Supervisor; Roger Reto, Council Member; Michael Worrall; and Council Member Kurt Miller, Vice President.

Also present was Paul Janssen, Director of the Center for Excellence in Local Government and, Terry Styer, Manager for Lower Alsace; Christeena Hauck, Mount Penn Borough Secretary; John Kramer, Director Emeritus Center for Excellence in Local Government arrived later.

Members from the Public who spoke were: Homer Williams, Steve Davis, Teresa Cristof, Mark Faust, Mike Frankhouser and Eric Wanshop.

**Minutes** – Motion by R. Reto seconded by K. Miller and unanimously carried to approve the minutes of June 2, 2014 as amended.

**Citizen Input** – Homer Williams questioned whether the infrastructures of Mount Penn and Lower Alsace will be surveyed and who will be performing the survey? After discussion, it was determined any failure of the water or sewer systems would be the responsibility of the respective authority, as they are separate operating entities. Fees would be covered by the rate payers. Linda Orth asked if the existing buildings would be used or would additional buildings need to be built to house all the staff together? M. Worrall explained the staff of Mount Penn would be moved to the Lower Alsace building, the Water Authority would remain in the Mount Penn building. Teresa Cristof asked if the water and sewer authorities would be merged and would the boards still be the governing body or would the newly appointed officials be the governing body instead of the board currently governing? P. Janssen explained the boards would remain and members would be replaced as their terms are completed. An opinion will be sought from the water, sewer and both municipal solicitors.

**Review of the Charter Draft** –P. Janssen passed out a draft copy of the Home Rule Charter for the Municipality of Antietam Valley to the committee members for review.

- After a long discussion, it was decided the annual compensation for elected Supervisors shall not exceed the maximum provided in the Commonwealth Code for a Second Class Township. The frequency of payment will be decided at the yearly reorganization meeting. The group agreed to set the amount of yearly compensation for the Supervisors at \$1,800.00 annually. M. Worrall will review the set amount with Mount Penn Borough Council and report at the next committee meeting.

- During a declared local emergency the Municipal Manager may request the elected officials to work and be compensated for that work at an amount no more than half the yearly compensation paid for the performance of their “elected” duties. The group agreed to the rate of pay be established at an hourly rate with any increase tied to the Consumer Price Index (CPI) or cost of living.
- Supervisors will not be eligible for any health, pensions, life or accident plans paid in whole or part by the Municipality with the exception of workers compensation. Mr. Worrall would like to review the health insurance option with Mount Penn Borough Council and report at the next meeting.
- A Municipal Treasurer could be an elected or appointed official.
- An annual audit will be required. In place of elected auditors, the new municipality would contract with a CPA firm and seek bids every three years.
- It was agreed that all options be provided for in the new charter including elected and appointed tax collectors. P. Janssen will present a cost comparison for the different tax collection options to the group at a future meeting.
- The expectations of the Municipal Manager and the relationship of the Manger to the elected Officials are outlined in the Charter.
- The Charter may include the requirement to maintain a separate operating reserve fund to minimize future revenue shortfalls and deficits. The Generally Accepted Accounting Principal (GAAP) standard recommendation for Municipalities is 10% of the yearly operating budget. After discussion, the groups agreed to give this issue some additional thought and discuss further at a future meeting.
- The Municipality shall be responsible for providing fire and emergency services by the means and to the extent determined by the municipality. After a long discussion, it was determined the wording should be fire protection and EMS **must** be provided by a separate special tax. No cap will be set. The transition committee will make the millage recommendations for Emergency Services provided.
- Municipal Police will remain Central Berks Police Department.
- P. Janssen asked the group to review the Parks, Recreation Centers and Forrest section.
- The Sanitary Sewers and Water Supply section of the Charter needs to be reviewed by the solicitors to make sure the Authority assignments are correctly worded.
- The board of Supervisors may permit fire or ambulance companies to participate in purchasing contracts.

- The Administrative Code or the Municipal Operating Policy set by the board will be the guideline for the Municipal Manager. The manager will propose and submit the Administrative Code to the Supervisors for adoption by ordinance.
- P. Janssen asked the group to review the Transition Committee section for future discussion.
- Code enforcement, Planning and Zoning will be added at a future date. This section will include the wording from the Comprehensive Plan.

**Citizen Input** – Elaine Bildstein expressed her concern with a cap not being set on Emergency Services Tax. Linda Orth questioned the Committees decision on the Mercantile Tax. P. Janssen explained at the last meeting, the Committee agreed to continue the Mercantile Tax to the new municipality at a reduced rate. Steve Davis asked how soon after 2016 can the Charter be changed? P. Janssen answered the Charter can only be changed by a referendum at an election. Homer Williams asked to see both communities' pension liabilities and suggested stipulating a time period over which the new Municipality could build up the reserve fund instead of all at once. Richard Gerhart questioned the code enforcement for the new Municipality. Sue Yoder questioned the availability of the Charter for public inspection and concern for understanding the language. P. Janssen answered a summary will be provided. T. Styer added she is working on having a booth at National Night Out for citizens to talk with the elected officials and ask questions about the charter. The Committee is committed to making sure the citizens are educated. Part of the Transition Team's responsibility will be to educate the public. Mike Frankhouser expressed his concern that the citizens will be voting on unknown issues and the Transition Team will be making decisions unbeknownst to the citizens and the short period of time before the citizens to make a decision. He also expressed concern for the Water and Sewer Authority. Teresa Cristof asked if a statement could be mailed to the residents prior to the election. She is concerned citizens are not aware of the meetings or think the merger is the school district.

**Next Meeting** – The next Committee meeting will be held June 23<sup>rd</sup> at 6:00 PM at the Antietam Middle/High School.

Motion by J. Theodossiou seconded by K. Miller and unanimously carried to adjourn the meeting at 8:20 p.m.

Respectfully submitted,  
Christeena Hauck