

HOPEWELL TOWNSHIP
YORK COUNTY PA
BOARD OF SUPERVISORS
AGENDA FOR REGULAR MEETING & PUBLIC HEARING

<https://us02web.zoom.us/j/85385815964?pwd=SnZzNnpmRjY5UlcvKzZWRUNCSDFaZz09>

Meeting ID: 853 8581 5964 Passcode: 385334

OR DIAL IN: 301-715- 8592

THURSDAY, DEC 1, 2022 @ 7 PM

Call meeting to order, pledge to the flag.

PUBLIC HEARING:

Act 172 of 2017- EMS Tax relief- An ordinance establishing a volunteer tax credit program: enacting a tax credits for volunteer members of volunteer fire companies and nonprofit emergency medical service agencies, and establishing administrative procedures and appeals.

Public Comment

Motion

REGULAR BUSINESS MEETING:

Approval of Minutes: Consider approval of the November 3, 2022, Regular meeting minutes as distributed.

Treasurer's Report/Invoices: Consider approval of the November 30, 2022, Treasurer's Report and previously reviewed invoices listed in this report.

Establish the amount of the Treasurer's Bond for 2023, currently- 2.5 million.

Roads:

Tree trimming – Completed

Orwig Road – Gravel portion to be paved in 2023. Working on prep of the banks

Ready for snow removal

Subdivision/Land Development Plans:

None

Solicitor's Report:

Todd Shaul Workers Comp Release

Barrens Road – Confirmatory Deed

Tax Rate Resolution

Amish Schoolhouse in Hopewell

Property Maintenance Code

Other Business:

ERM-Michael Eisen-Tolna Genon Solar Ordinance amendment requests

Resident, Connie Milchling – Volunteer application- Zoning Board. Introduction to the Board

Resident, Ronnie Morales – Volunteer application- Rec. Board. Introduction to the Board

2023 Budget – Consider adoption of proposed budget

2023 Paid Holidays – Consider approval

2023 Meetings dates – Authorize the Manager to advertise the 2023 meeting dates

2023 Tax Collector Sitting Hours – Consider approval of dates

Personnel:

None

Public Comment.

Adjournment.

**HOPEWELL TOWNSHIP
YORK COUNTY PA
BOARD OF SUPERVISORS
REGULAR MEETING
MINUTES FOR DECEMBER 1, 2022
HOPEWELL TOWNSHIP MEETING ROOM & ZOOM
7:00 PM**

Chairman O'Neill called the meeting to order at 7:00pm and opened the meeting with the Pledge of Allegiance. Executive Session was held prior to the meeting to discuss employee and legal matters. He asked that all in attendance sign in and anyone who may be recording the meeting to give their name and address for the record. In attendance were Supervisors David Wisnom and Aaron Manifold, Attorney Doug Myers, and Township Manager, Katie Berry.

Public Hearing of Act 172 of 2017 EMS Tax Relief- An Ordinance establishing a volunteer tax credit program: enacting tax credits for volunteer members of fire companies and nonprofit emergency medical service agencies. Chairman O'Neill opened the floor to public comment as well as anyone online. Hearing none, O'Neill closed the hearing and Supervisor Manifold motioned to authorize the ordinance as advertised, Chairman O'Neill seconded. Motioned carried.

Approval of Minutes

Supervisor Wisnom motioned to approve the November 3, 2022, Board of Supervisors regular meeting minutes, Supervisor Manifold seconded. Motion carried.

Treasurer's Report/Invoices

Chairman O'Neill Motioned to table the November 30, 2022, Treasurer's report, and invoices due to technical issues. Supervisor Wisnom seconded; Motion carried.

Chairman O'Neill stated that the Treasurers Bond needs to be established for 2023 which is currently at 2.5 million. Supervisor Manifold motioned to continue the Treasures Bond for 2023 at 2.5 million and Supervisor Wisnom seconded. Motion Carried.

Roads Report

Ready for snow removal – the roads crew continues to keep busy preparing for snow.

Tree Trimming- The majority of the tree trimming has been completed before winter and recently took care of trees due to wind issues.

Orwig Rd- Started on the final section with storm water work as well as bank removal and widening of the cartways so that it can be paved in '23.

Subdivision/Land development Plans

None

Solicitor's Report

2023 Budget -Chairman O'Neill asked for a motion to consider adoption of the proposed advertised budget for 2023. Supervisor Wisnom motioned to approve the budget as advertised and Chairman O'Neill seconded. Motion carried.

Todd Shaull- Attorney Myers stated the workers comp case involving Todd Shaull has been resolved and the board has been presented with a release to sign at no cost. If the board has no questions or concerns, there could be a motion to authorize the release. Manifold motioned to sign the release and Wisnom seconded. Motion Carried.

Amendment to Act 172- EMS Tax Relief – Attorney Myers prepared a draft ordinance to amend Act 172 to also allow tax relief for real estate taxes. Chairman O'Neill motioned to advertise the amendment and Supervisor Manifold seconded. Motion carried.

Barrens Rd- a property that was purchased by the township, a confirmatory deed needs to be signed and filed which has been prepared. The boards authorization is needed to be approved and signed. Supervisor Wisnom made a motion to sign when appropriate and Chairman O'Neill seconded. Motion carried.

Tax Rate Resolution- Supervisor Manifold motioned to adopt the tax rate to remain the same as 2022. Chairman O'Neill seconded. Motion carried.

Amish Schoolhouse in Hopewell- Christian King of 13962 Blymire Hollow Rd was present to discuss. The Board does not oppose building a schoolhouse in the township but doesn't have authorization to allow at this time and would need Mr. King to get a proposal to the solicitor. Attorney Myers gave Mr. King some suggestions and asked for them to prepare to come back to the board when they have a plan together.

Property Maintenance Code- Chairman O'Neill asked Attorney Myers to review the codes and get back to us with recommendations. Supervisor Manifold seconded; Moton carried

Home Depot- there was a property tax appeal, and no action is needed at this time.

Other Business

ERM- Michael Eisen- Tolna- Genon Solar Ordinance amendment requests. Chairman O'Neill asked Mr. Eisen to come back with a land development plan and waiver. Attorney Myers asked that they are prepared to explain or justify that 16 feet is sufficient for the types of vehicles that would be coming in.

Resident, Connie Milchling- of 1139 Hollow Rd submitted her volunteer application for our zoning board. She introduced herself to the Board and stated why she would like to be a member of our zoning board.

Resident, Ronnie Morales- of 133 Crosstie Dr submitted a volunteer application for the HARP Rec Board. He also introduced himself to the board and talked about his qualifications and his interest in the rec board.

2023 Paid Holidays- O'Neill motioned to adopt the 2023 12 paid holidays. Wisnom seconded. Motion carried.

2023 Meeting dates- O'Neill motioned to authorize the manager to advertise the 2023 meeting dates. These dates are for the Board of Supervisors, Planning Commission and Zoning hearings. Manifold seconded. Motion carried.

2023 Tax Collection Dates- O'Neill motioned to approve the 2023 tax collector sitting hours. Wisnom seconded. Motion carried.

Personnel- None

Public Comment- None

Chairman O'Neill adjourned the meeting at 7:45pm.



Diana Manker, Recording Secretary

**HOPEWELL TOWNSHIP
YORK COUNTY, PENNSYLVANIA**

ORDINANCE NO. 5-2022

**AN ORDINANCE OF HOPEWELL TOWNSHIP, YORK COUNTY,
PENNSYLVANIA, ESTABLISHING A VOLUNTEER SERVICE
CREDIT PROGRAM; ENACTING TAX CREDITS FOR VOLUNTEER
MEMBERS OF VOLUNTEER FIRE COMPANIES AND NONPROFIT
EMERGENCY MEDICAL SERVICE AGENCIES; AND
ESTABLISHING ADMINISTRATIVE PROCEDURES AND APPEALS**

WHEREAS, Hopewell Township, York County, Pennsylvania (the “**Township**”) is a second class township and municipal corporation organized under the Pennsylvania Second Class Township Code; and

WHEREAS, the Pennsylvania General Assembly enacted ACT 172 of 2016 (the “**ACT**”) on November 21, 2016; and

WHEREAS, the purpose of the Act is to provide municipalities with the options to recruit and retain active volunteer members of fire companies and nonprofit emergency medical service agencies; and

WHEREAS, the Act provides for real estate and/or earned income tax credits for active volunteers; and

WHEREAS, the Board of Supervisors of the Township (the “**Board**”) recognizes the importance of fire and emergency services provided to the Borough by volunteer fire companies and nonprofit emergency medical service agencies; and

WHEREAS, it is the desire of the Board to acknowledge the volunteers by implementing an earned income tax credit program, to be known as the “**Volunteer Service Credit Program**”; and

WHEREAS, the Township has codified its ordinances in the Township of Hopewell Code of Ordinances (the “**Code**”); and

WHEREAS, Chapter 24 of the Code, titled “Taxation; Special” addresses taxation in the Township; and

WHEREAS, Part 4 of Chapter 24 of the Code is currently reserved, and the Board desires to create and adopt a new Part 4.

NOW, THEREFORE, be it ordained and enacted and it is hereby ordained and enacted as follows:

Section 1. Part 4 of Chapter 24 of the Code shall be titled “**VOLUNTEER SERVICE CREDIT PROGRAM**”.

Section 2. Chapter 24, Part 4 of the Code shall be amended to add a new §24-401, as follows:

§24-401 Purpose.

The purpose of this Part 4 is to acknowledge the service of volunteer fire companies and nonprofit emergency medical service agencies by providing their members residing in the Township with a credit for their earned income tax.

Section 3. Chapter 24, Part 4 of the Code shall be amended to add a new §24-402, as follows:

§24-402 Definitions.

The following words or phrases when used in this Part 4 shall have the meanings given to them in this section unless the context clearly indicates otherwise.

ACTIVE VOLUNTEER

A volunteer for a volunteer fire company listed under §24-403.C below, which has complied with, and is certified under, the Volunteer Service Credit Program.

TOWNSHIP

Hopewell Township, York County, Pennsylvania.

EARNED INCOME TAX

A tax on earned income and net profits levied under Chapter 3 of the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act.

ELIGIBILITY PERIOD

The timeframe when volunteers may earn credit under the Volunteer Service Credit Program.

EMERGENCY RESPONDER

A volunteer who responds to an emergency call with one of the entities listed under §24-403.C.

EMERGENCY RESPONSE CALL

Any emergency call to which a volunteer responds, including travel directly from and to a volunteer's home, place of business or other place where he/she shall have been when the call was received.

VOLUNTEER

A non-paid member of a volunteer fire company or nonprofit emergency medical service agency.

Section 4. Chapter 24, Part 4 of the Code shall be amended to add a new §24-403, as follows:

§24-403 Volunteer Service Credit Program.

- A. **Establishment.** The Township hereby establishes a Volunteer Service Credit Program. The goal of the program is to encourage membership and service in the community's volunteer fire companies.
- B. **Program Criteria.** The Board shall establish, by resolution, the annual criteria that must be met to qualify for credits under the program based on the following:
1. The number of emergency response calls to which a Volunteer responds.
 2. Participation in informal training sessions and drills for a Volunteer.
 3. Attendance at meetings.
 4. The total amount of time expended by a Volunteer on administrative and other support services, including but not limited to:
 - a. Fundraising;

- b. providing facility or equipment maintenance; and
 - c. financial bookkeeping
- 5. Involvement in other events or projects that aid the financial viability, emergency response, or operational readiness of a volunteer fire company or a nonprofit emergency medical service agency.
- 6. Service as an elected or appointed officer or official.
- C. **Eligible Entities.** The Volunteer Service Credit Program is available to residents of the Township who are Volunteers of the following volunteer fire companies and nonprofit emergency medical service agencies that provide service to the Township:
 - 1. Eureka Volunteer Fire Department; and
 - 2. Eureka EMS.
- D. **Eligibility Period.** A Volunteer must meet the minimum criteria, set by Resolution under this section, during the eligibility period to qualify for the tax credits established under §24-404.A.
- E. **Recordkeeping.** The chief of the volunteer fire company or the supervisor of the nonprofit emergency medical service agency listed under §24-403.C, above, shall keep specific records of each Volunteer's activities in a service log to establish credits under the Volunteer Service Credit Program. Service logs shall be subject to review by the Township's Board of Supervisors, the State Fire Commissioner, and the State Auditor General. The chief or supervisor shall annually transmit to the Township a notarized eligibility list of all Volunteers who have met the minimum criteria for the Volunteer Service Credit Program. The notarized eligibility list shall be transmitted to the Township no later than January 15th of each year. The chief or supervisor shall post the notarized eligibility list in an accessible area of the volunteer agency's facilities.
- F. **Application.** Volunteers who have met the minimum criteria of the Volunteer Service Credit Program shall sign and submit an application for certification to their chief or supervisor. The chief or supervisor shall sign the application if the Volunteer has met the minimum criteria of the Volunteer Service Credit Program, and forward it to the Township Secretary. Applications shall not be accepted by the township after April 1st of each year, for the preceding year.
- G. **Municipal Review.** The Township Secretary shall review the applications for credit under the Volunteer Service Credit Program and shall cross reference them with the notarized eligibility list. The Township's Board of Supervisors shall approve all applicants who are on the notarized eligibility list. All applicants approved by the Township's Board of Supervisors shall be issued a tax credit certificate by the Township Secretary.
- H. **Official Tax Credit Register.** The Township shall keep an official Tax Credit Register of all Active Volunteers who were issued tax credit certificates. The

Township Secretary shall issue updates, as needed, of the official Tax Credit Register to the following:

1. Township's Board of Supervisors;
2. Chief of the volunteer fire companies;
3. Chief or supervisor of the nonprofit emergency medical service agencies;
4. York Adams Tax Bureau for the Township Tax Collection District. References in this Part 4 to York Adams Tax Bureau shall be construed to include any person or entity who or which in any given year shall be the Township's Earned Income Tax collector, if different than York Adams Tax Bureau.

I. Injured Volunteers.

1. A Volunteer who is injured while performing an action stated in the Resolution establishing program criteria for the Volunteer Service Credit Program may be eligible for future tax credits if the injury occurred while responding to, or returning from, an Emergency Response Call, or participating in an activity with one of the entities listed under §24-403.C, above.
2. An injured Volunteer shall provide documentation from a licensed provider, with the application required under this Section stating that their injury prevents them from performing duties to qualify as an Active Volunteer. In such a case, the injured Volunteer shall be deemed an Active Volunteer for that tax year.
3. An injured Volunteer shall annually submit the application required under this Section, along with updated documentation from a licensed provider stating that the injury still exists and prevents them from qualifying as an Active Volunteer. Provided it is verified that the injury still exists, the injured Volunteer shall again be deemed an Active Volunteer for that tax year. An injured Volunteer shall only be deemed an Active Volunteer for a maximum of three (3) consecutive tax years.

Section 5. Chapter 24, Part 4 of the Code shall be amended to add a new §24-404, as

follows:

§24-404 Earned Income Tax Credit.

- A. Tax Credit.** Each Active Volunteer who has been certified under the Hopewell Township Volunteer Service Credit Program shall be eligible to receive a tax credit of up to Five Hundred Dollars (\$500.00) of the Earned Income Tax levied by the Township. When an Active Volunteer's earned income tax liability is less than the amount of the tax credit, the tax credit shall equal the individual's tax liability.

B. Claim. An Active Volunteer with a tax credit certificate may file a claim for the tax credit on their Township earned income tax liability.

C. Rejection of tax credit claim.

1. The York Adams Tax Bureau shall reject a claim for a tax credit if the taxpayer is not on the official Tax Credit Register issued by the Township Secretary.
2. If the York Adams Tax Bureau rejects the claim, the taxpayer shall be notified in writing of the decision. The notice shall include the reasons for the rejection and provide the method of appealing the decision pursuant to §24-405, below.

Section 6. Chapter 24, Part 4 of the Code shall be amended to add a new §24-405, as follows:

§24-405 Appeals.

A. Earned Income Tax Credit Appeals.

1. Any taxpayer aggrieved by a decision under §24-404, above, shall have a right to appeal said decision.
2. A taxpayer shall have thirty (30) days to appeal a decision or rejection of a claim.
3. All appeals of decisions under §24-404, above, shall follow the provisions of the Act of May 5, 1998, P.L. 301, No. 50, known as the Local Taxpayers Bill of Rights.

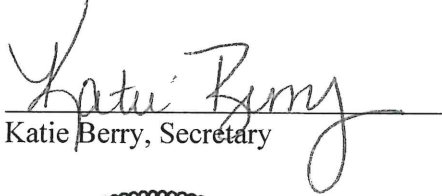
Section 7. In the event that any provision, section, sentence, clause, or part of this Ordinance is held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause, or part of the Ordinance, it being the intent of the Township that such remainder shall be and shall remain in full force and effect and for this purpose the provisions of this Ordinance are hereby declared to be severable.

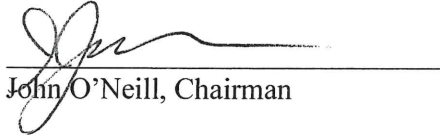
Section 8. This Ordinance shall be effective five (5) days after date of enactment as provided by law, for the tax year beginning January 1, 2023 and subsequent tax years.

ORDAINED AND ENACTED this 1st day of December, 2022.

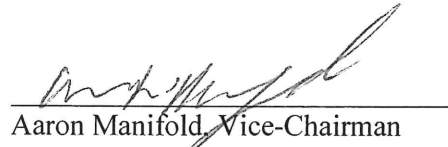
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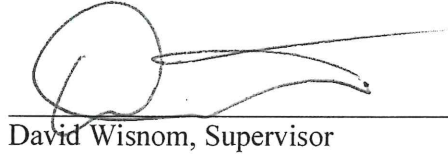
**HOPEWELL TOWNSHIP
BOARD OF SUPERVISORS**


Katie Berry, Secretary


John O'Neill, Chairman



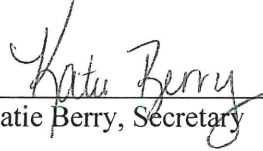

Aaron Manifold, Vice-Chairman


David Wisnom, Supervisor

CERTIFICATE

I, the undersigned, Secretary of the Board of Supervisors of the Township of Hopewell, York County, Pennsylvania (the "Township"), certify that the foregoing is a true and correct copy of an Ordinance of the Board of Supervisors of the Township which was duly enacted by 3 to 3 affirmative vote majority of the members of the Board of Supervisors of the Township at an open public meeting held after notice required by law on December 1, 2022, and that said Ordinance has been recorded in the Ordinance Book of the Township; that said Ordinance was duly published as required by law; and that said Ordinance remains in effect, unaltered and unamended as of the date of this Certificate.

IN WITNESS WHEREOF, I set my hand and affix the official seal of the Township on this 1st day of December, 2022.



Katie Berry, Secretary

HOPEWELL TOWNSHIP

RESOLUTION NO. 9-2022

**A RESOLUTION SETTING THE TAX RATES FOR
HOPEWELL TOWNSHIP, YORK COUNTY,
PENNSYLVANIA FOR THE YEAR 2023**

BE IT HEREBY RESOLVED that the Board of Supervisors of Hopewell Township, York County, Pennsylvania, does hereby adopt a Resolution re-enacting and re-imposing for the year 2023 the following taxes which were in effect in the year 2022:

SECTION 1: A tax upon the transfer of title to real estate located within Hopewell Township, as authorized by Ordinance adopted April 5, 1965, as re-enacted, ratified and re-imposed, at the rate of one-half of one per cent (0.5%) of the fair market value of the property being transferred. The Pennsylvania Department of Revenue is further appointed as the Township's agent to determine on the Township's behalf any additional local real estate transfer taxes that may be due, to collect all such additional taxes, together with interest and costs, and to charge the Township the collection fee authorized by the Local Tax Enabling Act.

SECTION 2: An earned income and net profits tax, as authorized by Ordinance No. 9-2011 as enacted November 3, 2011, as re-enacted, ratified and re-imposed from time to time, at the rate of one percent (1.0%) upon the earned income of residents of Hopewell Township and upon the net proceeds derived from the operation of any business or other activities by residents of Hopewell Township and one percent (1.0%) upon the income earned by non-residents of Hopewell Township within Hopewell Township and one percent (1.0%) on the net profits derived from any business or other activities conducted in Hopewell Township by non-residents, with credits and exemptions in accordance with said Ordinance.

SECTION 3: A general real estate tax on the assessed valuation of all real estate and improvements thereon, as authorized by the Ordinances re-adopted on December 23, 1976, and amended on December 1, 1977, and as re-enacted, ratified and re-imposed, at the rate of twenty-one one-hundredths (0.21) of a mill (two and one-tenth cents (2.1¢) per one hundred dollars (\$100.00) of assessed valuation, for a multiplication factor of .00021). The tax hereby imposed shall be subject to a discount of two percent (2.0%) from the amount of tax imposed upon the making payment of the whole amount thereof within two (2) months after the date of the tax notice, and shall be subject to a penalty of ten percent (10%) if not paid until more than four (4) months after the date of the tax notice.

SECTION 4: A local services tax, as authorized by Ordinance No. 4-2007, adopted November 1, 2007, known as The Hopewell Township Local Services Tax Ordinance, imposing a local services tax on every person employed in the Township, which tax is set at \$42.00 per person; EXCEPT THAT any person whose total income from all sources, whether within or outside the

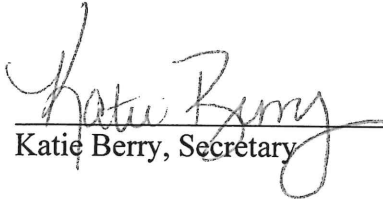


Township, is less than \$12,000.00 in any calendar year, certain disabled veterans, and certain active duty military personnel, as set forth in Ordinance 4-2007, are exempt from this tax.

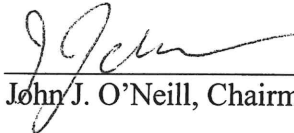
SECTION 5: This Resolution shall be effective January 1, 2023.

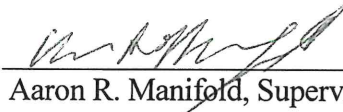
MADE this 1st day of December, 2022.

ATTEST:


Katie Berry, Secretary

HOPEWELL TOWNSHIP
BOARD OF SUPERVISORS

By: 
John J. O'Neill, Chairman

By: 
Aaron R. Manifold, Supervisor

By: 
David T. Wisnom, Supervisor

