

**MINUTES OF THE MEETING OF THE BOARD OF SUPERVISORS
TYRONE TOWNSHIP, ADAMS COUNTY, PENNSYLVANIA
July 15, 2015**

Board of Supervisors Meeting for Wednesday July 15, 2015 was held at the Tyrone Township Municipal Building 5280 Old Harrisburg Road, York Springs, PA 17372, Adams County, Pennsylvania.

Members present: Vice Chair James Lady, Supervisor Russell Raub, Treasurer Laura Weaver, Township Secretary, Christine Hinken.

OTHERS IN ATTENDANCE: Rosalie Dashoff, Mike Baltzley, Wilbur Slothour, Jed Fetter, David Richwine, Nicholas Shearer, Jack Kump, Dwayne Keene.

CALL TO ORDER: Vice Chairman Jim Lady called the meeting to order at 7:00 P.M.

NEW BUSINESS:

Nicholas Shearer from Hamilton & Musser presented the audit which was for the year ending December 21, 2014. This was the first year that Tyrone Township created a financial accounting. There was a finding of Governmental Activities being an adverse opinion. The reason for this was records were not kept, as of 2002 financials had to be recorded. All the other funds were found to have an unmodified opinion which is considered favorable.

Profits and loss revenues and expenses for the General Fund are positive. The Highway fund is in a positive balance as well. Looking at page 10 Statement of Revenues for proprietary fund and the wastewater fund there is also a gain. Nicholas encouraged everyone to feel free to flip through the financial statements and the entire audit package as he prepared several copies for attendees of the meeting. Overall he felt the audit went very well and all the information needed was available. This is the first time Hamilton & Musser, P.C. worked with Tyrone Township.

Laura questions the fixed assets and cash basis of account and record accruals of fixed assets and asks Nicholas if records need to be kept on those fixed assets and the adverse opinion on governmental activities and for clarification on what the opinion means. According to Nicholas now that there is a financial report fixed assets need to be reported. The adverse opinion is difficult to ascertain due to the fact that prior assets records were not kept on the building, there would have to be a list which included all bridges, various types of equipment and tangible property owned by the Township. The government activities adverse opinion differences between that and the government funds are primarily on a cash basis. The schedule converts to a modified cash basis and records fixed assets and major accruals.

Russ asked in an effort to be able to achieve an unmodified government activities opinion would we need to establish fair market values to identify costs.

Nicholas replied that fixed assets don't need fair market value.

Russ stated none of us were in office when these assets were acquired, and during a previous disposition of township records, much of the needed information from the past is gone. In some cases the entities from whom the assets were purchased no longer exist anymore either and he suspects that there is no record of these acquisitions in the courthouse. Russ asked if there was any way to remedy this issue regarding the adverse opinion on governmental activities.

Nicholas stated that he did not think the adverse opinion will affect the Township. The bank will not look at it unfavorably, but moving forward all items will be recorded.

Laura also stated that this opinion is very common. Nicholas agreed due to the rule instituted back in 2002 as referenced by him earlier. No one had any further questions for Nicholas and the external auditor's report was completed.

Jim wanted to introduce Christine as the new secretary. Jim wanted Russ to introduce Christine M. Hinken due to the fact Jim was not present at the interview on July 8, 2015.

Russ stated the township supervisors have an obligation to disclose that as required, the Board discloses that Supervisors and the Treasurer met at the township building on Wednesday, July 8th at 6:00 P.M. for approximately one hour with two individuals that expressed interest in serving as township secretary.

Based upon information that was provided during these interviews, Raub made a motion to engage the services of Christine M. Hinken of Dillsburg, PA for an at will temporary employment assignment not to exceed 90 days. This temporary employment period will provide the township the opportunity to transfer knowledge and provide training to Mrs. Hinken, and provide Christine the opportunity to demonstrate her skills and how they fulfill the requirements of township secretary and meet the needs of Tyrone Township residents and the Board of Supervisors. He further moved that Mrs. Hinken be compensated at an hourly rate of \$14.50 during this temporary employment period, that she be compensated for all holidays observed by the township during this period, but she will not accrue paid vacation time during this temporary employment assignment.

Jim seconded the motion. The motion passed by unanimous vote.

Rosalie Dashoff asked why there was a rather large ad for a secretary in this week's Merchandiser. Laura explained that the ad was put in prior to the interview and had already been placed. Jim explained that the Supervisors will continue to accept and hold resumes for the position.

Jim moved on to Chief Dwayne Keene of Heidlersburg Fire Department and told him he would sign the paperwork submitted by Chief Keene regarding the box cards and areas the department runs. Gettysburg ambulance went out of service June of 2015 Biglerville put in a mobile intensive care unit (MICU) from Company 33. Merged EMS services put in ARMS Adams Regional Medical Service which services the Bonneauville area of Gettysburg and New Oxford. There were changes made for medic units and signatures are necessary.

Mike Baltzley asked if it was advanced life support. Chief Keene answered yes and they cover both Gettysburg area and New Oxford.

Jim stated Tyrone and all of Biglerville are included, actually Oxford Road and Tapeworm Road are covered by ARMS.

Chief Keene stated they run the closest unit. Chief Keene also wanted to add to the Fire Report there were 1444 total calls 63 of them were in Tyrone Township. Also, wanted to make note of the Heidlersburg Fire Company Carnival on August 13th, 14th, and 15th and an all you can eat shrimp dinner at the Fire Hall on October 15th. Chief Keene requested a map of the trailer park and Jed Fetter told him he would provide him one.

Jim makes motion to approve the new Box Cards. Russ seconded the motion. The motion passed.

Jim asks Wilbur Slothour to present the issue of 811 East Berlin Road. Wilbur states he wants to give the Supervisors a picture of the situation. There are some very unhappy neighbors adjacent to this property. Wilbur stated to Jim that they both inherited this problem. As insight Wilbur states that the gentleman passed away without a Will and they are unable to generate any violations because per the law they must be addressed to the owner of the property or the new owner if property is sold. As of last week the property is still in decedent's name.

In the past when Wilbur Slothour was at the property there were no working sewage facilities and no operable well. The Sewerage Enforcement Officer visited the property recently and states there is now an operable well as well as an operating sewage system and the Township was aware of this which Wilbur disputes. Wilbur would not issue building permits for this property due to the aforementioned issues as well as several other longstanding issues but the occupants put an addition and a roof on without permits. There are several other agencies and officials involved but they have not found any adverse effects. Wilbur wants to know if the Supervisors want to push the issue of condemning and vacating this property. Research was done and it was found that a cousin of the decedent lives in the home but they do not own the property. Wilbur wanted the Supervisors to be aware of the issues and the fact that he has deemed the structure unsafe and the illegal addition unsafe.

Russ stated he was going to ask if the situation were different and asked if an inspection was conducted now would it still be unfit for habitation.

Wilbur stated that they went through with another agency prior to the additions and it was unsafe. Wilbur strongly recommends the property be vacated, it is not worth fixing up. Wilbur has been watching county records as well and the taxes are being paid.

Russ asked if we suspect its being probated or not. Wilbur stated the County said there is no activity on probate matters. Wilbur wants to know if the township can take or dictate rules to get it cleared up.

Russ suggested an Administrative Warrant to do an inspection.

Wilbur stated he wanted a structural engineer present for a professional evaluation.

Russ suggested to make application for the Warrant and based on the findings of the inspection to have premises vacated, but without an owner we may not be able to move forward.

Jim asked if anything ever became of the stuff dumped out back.

Wilbur stated DEP found no issues but there are plenty according to the neighbors. One neighbor stated there is no septic but the Sewerage Enforcement Officer only required a new tank, which was done. Wilbur thinks we need to remedy this right away possibly see if the township can take ownership.

Russ suspects that there is a very shrewd individual somehow involved and perhaps they determined that it is best for them if things remain as they are.

Wilbur wanted Supervisors to be aware of the situation because of all the unhappy neighbors.

Russ asks Jim if he has any thoughts.

Jim suggests submitting for an Administrative Warrant and speaking to the Solicitor.

Wilbur stated since there is no living owner the township could try to seek eminent domain, he is aware it costs money and people get uptight about that but possibly vacate it or condemn it. Wilbur states a concern for fire as there are children living in the home.

Jim stated to proceed to talk to Solicitor Shultis.

Jim wanted to discuss the review conducted by the Township Engineer for additional base repairs. Bids needed to be rebid due to being over the amount of bids. The bids were opened by Erik Vranich at the township office at 5280 Old Harrisburg Road, York Springs, PA 17372 on July 15, 2015 at 10:00AM and

the company originally awarded the bid, Farhat Excavating, won the bid again. Farhat wants to start work immediately on the Tyrone Township Roadway Repair Project.

Jim made a motion to award Farhat Excavating the contract for the submitted amount. Russ seconded motion. The motion passed.

Russ commented that there were three bids and of the three bids Farhat's bid was considerably lower than those submitted by than C. Williams and Conewago of Hanover, PA. The motion carried.

Jim made a motion to conditionally issue the Notice to Proceed and signature of the Agreement pending satisfactory completion of all contract documents to the satisfaction of the Engineer and the Solicitor, this motion will allow Farhat to proceed with work as soon as the contract documents are executed as opposed to waiting for the next Board meeting for authorization. Russ seconded motion. The motion passed.

Jim made a motion regarding a separate matter with Erik Vranich whereupon they met with Mr. Heller at his residence at 58 Reservoir Road. They went over several ideas on how to remedy this issue which has been worsened by all the precipitation. Mr. Heller receives several inches of rainwater and it has been washing out his driveway. Several ideas have been thought of to fix the problem with major piping through Knouse Orchards. Unfortunately ditch work and prior repairs from several years ago caused the issue to worsen. Dave Wenk sent Jim several text messages regarding the rainfall at times totaling 3.5 inches.

Jim motions for work not to exceed the amount of \$10,500.00, noting that the work should only require a much smaller amount to remedy the problem than the aforementioned price.

Russ mentioned that last month it was discussed Mr. Heller might contribute something and wanted to know if Jim made any headway with this matter.

Jim stated Mr. Heller is not willing to contribute.

Russ pointed out that the Township did not create the topography and does not control the amount of received precipitation. Raub stated his support for this repair but cautions the Board of Supervisors that it is going to invite a raft of requests from other residents to remedy any similar issues they may have.

Russ speaks to Jack Kump regarding a water problem on his property and how the residents in that area were left to repair the driveways and damages at their own expense.

Russ will support the decision to move forward with the repairs but wanted it noted that it may set a precedent with other residents seeking treatment similar to that which Mr. Heller will receive.

Jim stated that he agrees with Russ and the situation at the property has become much worse since Mr. Heller purchased the property.

Russ stated he agreed and he does not have a problem making Mr. Heller whole.

Russ asks if this type of repair has been done before at other properties.

Jim state there has been ditch work, cleaning of pipes and installs as needed.

Rosalie stated that it was not done by outside contractors.

Jim stated that the work in the past was performed by outside contractors.

Russ stated he would have liked a contributory situation.

Jim stated Mr. Heller called him very derogatory names due to the situation with his property.

Russ stated he did not expect complaints about the township repairing this property but a lot of homes have been put on the market and homeowners have spent thousands repeatedly for the same issue on their properties.

Jim makes a motion to approve the work on Reservoir Road. Russ seconds the motion. The motion is passed.

OLD BUSINESS:

Russ wanted to know if the riser was installed. Jim stated the riser is in place and he stopped and looked at the riser and concluded if there is more than six inches of rain it will be under water.

Jack stated that they should be a foot out of the ground. Jim stated that the property owner's claim that they receive more water since the sewer was installed. Jim also noted that nothing changed in grading.

Russ stated what they didn't have was an alarm.

Jed Fetter stated that there should be less water in ditches due to 30" of stone and an underground basin that should take the water away as it is designed to do that.

Russ asked if there was a water tight seal between the lid and riser. Jack stated that sealant was applied and the lid was bolted down on the riser.

Jim stated that the pumps should operate even if they are underwater. Jim also stated that if the pump failed the seals were no good. Russ agreed and further added that he thought it was not seals failing he felt it burnt out because it ran for days.

Jed Fetter added that it's possible but it is easier for the pump to run continuously if it is constantly turning on and off that will burn it out quicker.

Jim wanted to review the VFD and unit pumps at the sewer plant due to a situation that arose previously. Jed Fetter stated that (2) VFD's were knocked out and he wanted to take them out of the picture and replace the starters for a cost of \$850.00.

Russ wanted to know if the replacement was covered under the maintenance bond.

Jed stated that it comes from Mack Industrial's warranty.

Russ stated he did not know the answer to the question regarding the Mack warranty or PSI maintenance bond, if there was a substitute made it might add cost and he wanted to soften the blow to taxpayers by receiving new VFD's and then selling them to offset costs of conventional starters.

Jed stated because of dirty electric from Met-Ed they won't replace them.

Jim stated there is a maintenance bond they have to replace the units. VFD's cost \$1700.00 and starter unit motors make the unit start up therefore the VFD is not needed, it is a small part that does not have variable flows.

Jim also stated there is dirty electric in Heidlersburg area as well.

Jed stated that Bill Hall was in touch with the power company and Med-Ed would install a voltage meter to monitor the electric surges for one week.

Russ suggested getting in touch with Kathy Seilhamer, Met-Ed External Affairs Manager.

Jed stated he wanted the sewer plant monitored for one month to get a more accurate assessment of the dirty electric.

Russ agreed with monitoring the situation for one month.

Jim asked Jed how many times the dirty electric has caused problems.

Jed stated that it was at least one month last year.

Jim asked Jed if there were starters there before.

Jed stated the VFD's can't handle the surges power line reactors installed didn't help either.

Jim suggested testing voltage for a month and to contact the Met-Ed representative. Jim further stated that either PSI or someone needs to stand behind their maintenance bond.

Russ does not think it's the device he thinks it is Med-Ed, he stated if the device is faulty how come Hillandale Farms devices are also damaged.

Jim agreed and stated he experienced power surges when he lived in the village area all the time.

Jed stated the sewer plant experiences surges at a high rate.

Russ asked Jed if the voltage meter for one week was not enough, did he want it for a month.

Jed stated he wanted the voltage meter installed for one month.

Jim stated we're talking \$6,000.00 for 5 VFD's if they were to honor the maintenance contract, but if it is proven that it is a power issue problem with Met-Ed can they get help from Met-Ed.

Jed stated that Hillandale Gettysburg can't get Met-Ed to admit that Met-Ed is the source of the issues with their operation and Hillandale threw in the towel and is fixing the issues from dirty electric at Hillandale at their own expense.

Russ stated Met-Ed is owned by First Energy Corporation so redress could be sought through the Pennsylvania Public Utility Commission.

Jim asked Jed what he would need.

Jed stated two blowers and another VFD or starter installed that one remaining motor could have something happen to it and the repair needs to be made.

Jim deferred to Russ.

Russ stated we owe it to the people to see this through and have the situation corrected. He also stated he believed Met-Ed knows they are the problem but we have to prove it. Russ wants to have a Supervisors Workshop and consult with Kathy Seilhamer of Met-Ed for assistance. Furthermore, Seilhamer has been offering the Township an energy audit.

Jim stated in his opinion he wanted to approve buying one starter to keep the sewer plant running.

Russ also agreed with getting one starter now if the VFD's were going to be an issue.

Jed stated that big plants use VFD's the sewer plant is small and they are not necessary. Jed further stated that VFD capacitors blow and conventional starters transfer surge so it is less harmful to the equipment.

Jim asked Wilbur Slothour his thoughts on the issue.

Wilbur stated that if they are filtered the right filters burn out not the unit, but the line reactors may not be of the scope or enough spectrums to protect the unit from a surge.

Jim agreed that that was the unknown, not knowing what kind of surges the plant is getting.

Jim makes the motion to approve the purchase of a new starter. Russ seconds the motion. The motion is approved.

PUBLIC PARTICIPATION:

Jim moves on to the second round of public participation. Jim asks Rosalie if she has any questions. Rosalie asks if the audit for 2014 takes into account the external audit of 2013.

Nick from Hamilton & Musser, P.C. stated that DCED was provided the same audit as before but more is reported now.

Russ asked Nick as part of his services was the audit going to be recorded with the Prothonotary's Office.

Nick stated that he would get the address from Laura and check if there are any fees to file the audit.

Russ stated that the Municipality fee is free.

Nick asked what was filed.

Russ stated the DCED report was filed, and further stated that if Nick was going to charge a hefty fee he would file it himself. Russ said he would ask Mike Baltzley to file a copy of the audit. Mr. Baltzley agreed to file the audit.

Laura asked if the township was required to put the audit online.

Russ stated he did not know and asked Jim if he had a preference.

Jim stated he did not think it was necessary.

ADJOURNMENT:

Jim makes the motion to adjourn, the meeting is adjourned at 8:22 pm and Russ seconds the motion to adjourn.

