



FAIRFIELD TOWNSHIP REGULAR MEETING HELD ON AUGUST 13, 2009



I. MEETING CALLED TO ORDER AT 7 PM BY PAUL ALTIMUS, CHAIRMAN.

II. ROLL CALL: PAUL ALTIMUS-PRESENT JAMES BROWN-PRESENT SOLICITOR-PRESENT (J.M.)
VAUGHN TANTLINGER-PRESENT SECRETARY- PRESENT (EJB) CITIZENS-4

III. PREVIOUS MONTHS MEETING HELD ON JULY 9, 2009: APPR VAUGHN BY, 2ND BY PAUL, UNAN-YES.

IV. TRUE BILLS PAID AND TO BE PAID ON THE FINANCIAL STATEMENT DATED JULY 2009; CORRECT ZEE MEDICAL ON TO BE PAID FROM \$77.05 TO \$115.40; APPR BY PAUL , 2ND BY JIM , UNAN-YES. BALANCES:

	General Fund	State Fund	Road Fund
BEG BAL	\$98,521.66	\$186,676.69	\$1013.67
INCOME	49,875.52	56.08	.33
EXP	<u>60,448.30</u>	<u>17,594.93</u>	<u>.00</u>
BALANCE	\$87,948.88	\$169,140.84	\$1014.00

V. CORRESPONDENCE: 1. CERTIFIED FROM GIBSON-THOMAS ENGINEER REGARDING THE WATER PROJECT FOR LIGONIER FORM GREATER JOHNSTOWN WATER AUTHORITY. COPIES AVAILABLE FOR PUBLIC IF THE DESIRE. PURPOSE IS TO INFORM TWP ON INTENT TO SUBMIT AN APPLICATION TO DEP

FOR AN NPDES PERMIT, INCLUDES JOHNSTOWN WATER AUTHORITY CALLING IT THE LIGONIER INTERCONNECTION WATERLINE PROJECT—THEY WANT TO BRING WATER FROM JOHNSTOWN INTO LIGONIER MOSTLY ALONG SR271 TO INSTALL APPR. 85,000 SQ FT OF WATERLINE, A PUMP STATION IN UPPER YODER TWP AND 2 WATER STORAGE TANKS IN CONEMAUGH TWP. DEP INVITES TWP TO REVIEW AND TO COMMENT. TO PAUL’S KNOWLEDGE THERE WILL BE NO COMMENT ON TWP’S BEHALF BECAUSE TWP HAS NO ZONING, NO MUNICIPAL PLANNING. SOLICITOR SAYS TWP COULD COMMENT TO DEP IF THEY DESIRE, BUT THE DISCHARGE OF STORM WATERS IS A LIMITED PERMIT NOT A PERMANENT PERMIT. PAUL SAID STILL NOT SURE PROJECT IS A GO, SOLICITOR SAID THEY MUST BE REASONABLY CERTAIN THIS PROJECT WILL BE A GO.

VI. PERSONS PLACED ON AGENDA: NONE

VII. OLD BUSINESS: 1. AUDIO TAPE RETENTION: IT WAS BROUGHT TO THE TWP’S ATTENTION THRU THE TOWNSHIP NEWS MAGAZINE ABOUT AUDIO TAPES AND THE ROLL THEY PLAY IN THE RIGHT TO KNOW CATEGORY. **QUESTION:** IF TWP’S RECORD THEIR MEETINGS, MUST THEY NOW KEEP THESE TAPES? **ANSWER:** NO, BUT THE TOWNSHIP SHOULD HAVE A CLEAR RECORD RETENTION POLICY THAT STATES HOW LONG THESE TAPES WILL BE STORED. IF A TOWNSHIP WANTS TO KEEP A TAPE ONLY UNTIL THE NEXT PUBLIC MEETING, THE BOARD OF SUPERVISORS SHOULD BY MOTION AT A PUBLIC MEETING, ADOPT A RETENTION SCHEDULE FOR THESE TAPES. SOLICITOR UNDERSTANDS THAT THOSE TAPES CONSTITUTES A PUBLIC RECORD UNTIL THEY ARE DESTROYED. IF YOU RECEIVE A REQUEST BEFORE THEY ARE DESTROYED; THEY MUST BE DUPLICATED FOR THE REQUESTOR. SOLICITOR SAID AS LONG AS THE TWP FOLLOWS A RETENTION POLICY TO DESTROY THE TAPE, TWP IS UNDER NO OBLIGATION TO PRODUCE A COPY UNDER THE RIGHT TO KNOW ACT. PAUL MADE A MOTION THAT AUDIO TAPED PUBLIC MEETINGS ARE TO BE ERASED AFTER THE ADOPTION OF THE MINUTES AT THE FOLLOWING PUBLIC MEETING, 2ND BY VAUGHN, UNAN-YES.

VIII. NEW BUSINESS: 1. ACT 32 LOCAL TAX ENABLING ACT—SOLICITOR STATED OVER THE COURSE OF THE NEXT 3 YEARS THEY WILL DO AWAY WITH THE LOCAL TAX COLLECTION OF EARNED INC. TAX, PC, LST-OPT, FAIRFIELD ALREADY ASSIGNED PAMS IN THE PAST, EACH SCHOOL DIST. AND MUNICIPALITY WILL NO LONGER APPOINT OR ELECT THE COLLECTOR FOR THAT TYPE OF TAX. INSTEAD EACH COUNTY WITH THE EXCEPTION OF PHILADELPHIA WILL HAVE A LEGAL ENTITY KNOWN AS THE TAX COLLECTION COMMITTEE AND THIS TAX COLLECTION COMMITTEE WILL BE MADE UP OF DELEGATES THAT THE SCHOOL DISTRICT AND MUNICIPALITY APPOINTS. THIS COMMITTEE WILL APPOINT A COUNTY WIDE TAX COLLECTOR FOR EIT AND PERSONAL TAX. REASON FOR THE CHANGE IS TO STREAMLINE TAX COLLECTIONS AND GET THE TAXES IN THE HANDS OF THE RESPECTIVE MUNICIPALITY QUICKER. SOLICITOR THINKS THE STATUTE REQUIRES THE TAX COLLECTOR HAS TO DO WITHIN 30 DAYS IN RECEIPT OF THE TAX. THE YEARS PAST SOME TWPS WERE NOT RECEIVING THE TAX FROM OTHER TWPS IF IT WAS PAID TO ANOTHER DISTRICT. THIS ACT IS SUPPOSED TO MAKE SURE THAT TWPS AND SCHOOL DISTRICTS GET ALL OF THE TAXES DUE TO THEM. PRIOR TO SEPTEMBER 15TH THE TWP NEEDS TO APPOINT A VOTING DELEGATE(S) (RECOMMENDED 3) TO THE TAX COLLECTION COMMITTEE. THE STATUTE DOES NOT REQUIRE THAT THE DELEGATE BE A TWP RESIDENT, JUST A COMMONWEALTH RESIDENT; AND THAT DELEGATE WILL VOTE ON THE BY LAWS FOR THE TAX COLLECTION COMMITTEE AS WELL AS VOTE ON WHO WILL BE APPOINTED TO COLLECT THE TAXES FOR SEPTEMBER 2010. PAUL STATED THAT THEY ARE TO START COLLECTING IN 2012. VAUGHN SAID IT MAY HELP THE TWP. PAUL SAID AFTER ALL THIS INFORMATION WAS PRESENTED TO THE TWP, THEY TALKED WITH SOLICITOR , JEFF MILLER ABOUT THE VOTING DELEGATE AND THEY RAISED THE QUESTION TO HIM IF HE WOULD LIKE TO BE OUR DELEGATE, AND HE SAID HE WOULD. PAUL ASKED IF ANY OF HIS OTHER TWPS ACTED ON THIS YET, SOLICITOR SAID NO. PAUL ASKED IF THEY ARE AWARE THAT HE WOULD BE INTERESTED IN BEING A DELEGATE. SOLICITOR SAID HE TOLD BOLIVAR IF THEY COULD NOT FIND ANYONE, HE WOULD DO IT, JUST LIKE FOR FAIRFIELD. PAUL MADE A MOTION TO ADOPT RESOLUTION #3-2009 APPOINTING JEFF MILLER AS PRIMARY VOTING DELEGATE TO THE TAX COLLECTION COMMITTEE, 2ND BY VAUGHN, UNAN-YES. WILL TRY TO FIND A SECONDARY DELEGATE. **2. HB1500 & HB963** ARE ATTACHED TO THE MEETING AGENDA. HB1500 WOULD REQUIRE EVERY MUNICIPALITY THAT CURRENTLY DOES NOT PROVIDE LOCAL POLICE PATROL SERVICES, EITHER THROUGH ITS OWN DEPARTMENT OR THROUGH A REGIONAL OR CONTRACTED ARRANGEMENT WITH A NEIGHBORING

MUNICIPALITY, TO PAY AN ANNUAL PER CAPITA FEE THAT IT SOLELY RELIES ON STATE POLICE FOR PATROL SERVICES. THE NUMBERS FOR FAIRFIELD TOWNSHIP WOULD BE AS FOLLOWS:

Costs For Fairfield Township---Population of 2536

1st year @ \$52 per person = \$131,872

2nd year @ \$104 per person = \$263,744

3rd year @ \$156 per person = \$395,616

SOLICITOR REMINDED THEM THAT THE TWP'S BUDGET IS ONLY AROUND \$600,000. SECRETARY POINTED OUT THAT THEY RECOMMEND TWPS RAISE TAXES TO PAY FOR STATE POLICE FEES. PAUL ANNOUNCED THAT THE TWP AND THE SECRETARY ON HER PERSONAL LEVEL SENT LETTERS TO REP. REESE AND SEN. WHITE. SECRETARY STATED WE ALREADY PAY FOR STATE POLICE PROTECTION THRU THE STATE TAX, WHERE WILL THAT MONEY GO IF WE HAVE TO HAVE LOCAL POLICE? ARE THEY GOING TO CUT THE STATE POLICE FORCE. VAUGHN STATED THAT THEY THINK IT WOULD BE A GOOD IDEA FOR INDIVIDUALS TO WRITE REPRESENTATIVES AND SENATORS OPPOSING THESE BILLS. SECRETARY STATED THAT IF TWPS DON'T PAY, THEY WILL LOOSE THEIR LIQUID FUELS TAX. SECRETARY GAVE THESE WEBSITES TO REVIEW THE BILLS WWW.LEGIS.STATE.PA.US AND WWW.PSATS.ORG. SOLICITOR SAID IF YOU PROVIDE SOME COVERAGE BY CONTRACTING WITH ANOTHER MUNICIPALITY, IT WOULD ONLY COST \$52 THE THIRD YEAR. **3. HIRSCH BRIDGE**-PAUL ANNOUNCED THAT HIRSCH BRIDGE IS CLOSED DUE TO FAILING THE ANNUAL INSPECTION. OVER THE 5 WEEKS, ENGINEERING FIRM HAS BEEN WORKING ON A REPAIR PROCEDURE IN ORDER TO GET IT REOPENED. AT THIS TIME TWP NEEDS TO MAKE A MOTION TO ADVERTISE FOR REPAIRS OF HIRSCH BRIDGE. PAUL MADE A MOTION TO ADVERTISER FOR REPAIRS TO HIRSCH BRIDGE WHEN TWP RECEIVES THEM FROM THE ENGINEER, 2ND BY VAUGHN, UNAN-YES. BID OPENING DATE AND LOCATION WILL BE PART OF ADVERTISEMENT, TWP DOES NOT KNOW THAT DATE AS OF TODAY. **4. INFORMATION FROM PENDOT** INTENTIONS TO CLOSE THE BRIDGE LOCATED AT THE INTERSECTION OF SR1011 AND TR 895 KNOWN AS TANTLINGER HOLLOW RD. STARTING ON MONDAY, AUG. 17, 2009 FOR APPROXIMATELY 6 WKS. FOR MAINTENANCE. THERE WILL BE A POSTED DETOUR. VAUGHN SAID THEY ARE TAKING THE ASPHALT OFF THE TOP AND PUTTING ON CONCRETE. PAUL SAID ALSO REVAMPING THE PARAPET SIDEWALLS.

IX. PUBLIC COMMENTS: **1. ERN HENDERSON** **2. MAUREEN BLON-SHE** WANTS THE REPRESENTATIVES FOR FAIRFIELD TOWNSHIP. SECRETARY TOLD HER ONE OF THOSE SITES GETS YOU TO ALL THE REPRESENTATIVES. **4. DEB GAWLAS**-GOOD JOB ON THE HILL. VAUGHN AND PAUL SAID IT IS NOT DONE YET.

X. ADJOURNMENT: MOTION BY PAUL, 2ND BY VAUGHN, UNAN-YES. TIME(7:35 PM)

Submitted by: Emma **Brendlinger, Sec-Tres**

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