



**FAIRFIELD TOWNSHIP REGULAR MEETING HELD ON DECEMBER 8, 2011**



**I. MEETING CALLED TO ORDER AT 7:00 PM BY VAUGHN TANTLINGER, CHAIRMAN**

**II. ROLL CALL:** PAUL ALTIMUS-PRESENT JAMES BROWN-PRESENT SOLICITOR-PRESENT(JWM)  
VAUGHN TANTLINGER-PRESENT SECRETARY-PRESENT(EJB) CITIZENS-7

**III. PREVIOUS MONTHS MEETING HELD ON NOV. 10, 2011:** APPR BY PAUL , 2ND BY JIM, UNAN-YES(3).

**IV. TRUE BILLS PAID AND TO BE PAID ON THE FINANCIAL STATEMENT DATED NOV. 2011:** APPR BY JIM, 2ND BY VAUGHN, UNAN-YES(3)

**V. CORRESPONDENCE:** **1. ROAD BOND** RELEASE APPALACHIAN TIMBER-PATTERSON RD. WORK TO BE DONE ON IT IN THE SPRING BY APPALACHIAN, ONLY RELEASING \$20,000, HOLDING \$8,000. VAUGHN SAID THERE WAS SOME DAMAGE DONE TO THE ROAD. DUE TO ASPHALT BEING NEEDED, IT CAN NOT BE DONE UNTIL NEXT YEAR. THEN TWP WILL RETURN THE BALANCE OF \$8000. PAUL ASKED IF THE SIMPLE AGREEMENT WAS IT EXECUTED, IT WAS SIGNED BY VAUGHN. PAUL WANTS TO CHANGE SOME OF THE LANGUAGE IN IT; MOTION BY JIM, 2<sup>ND</sup> BY VAUGHN TO PARTIALLY RELEASE PATTERSON RD BOND IN AMOUNT OF \$20,000 TO APPALACHIAN; UNAN-YES(3) **2. COAL LOADERS** LETTER BLAST RENEWAL FOR FT.PALMER, ROBB ROAD, STARTING JAN 12<sup>TH</sup>. **3. HANSON AGGREGATE** BLAST RENEWAL NOTICE FOR TORRANCE QUARRY **4. PEOPLES GAS 11/23** RENEWAL PERMIT FOR WEST FAIRFIELD COMPRESSOR STATION ON MT. VIEW RD **5. TRI COUNTY ENGINEERING 11/25** NOTICE OF CONSTRUCTION OF PIPELINE FOR NATURAL GAS FROM EXISTING NELSON WELL ON SR259-LIGONIER TWP, CONNECT TO MUIR TO ECKELS PIPELINE **6. PEOPLES GAS 12/1** BASICALLY THE SAME AS THE 1<sup>ST</sup> NOTICE—W. FAIRFIELD COMPRESSOR STATION. **7. 2--KEY ENVIRONMENTAL, INC. 12/6** NOTICES BASICALLY ON SHIRLEY HOLLOW RD OFF SR259, NOTICE OF STORM WATER DISCHARGE FOR DANIEL SHAPIRA. THEY ARE DEVELOPING AND ENLARGING THEIR 2 PONDS. PAUL ASKED IF WESTMORELAND CTY CONSERVATION GOT A COPY. VAUGHN SAID DOES NOT SHOW GOING THERE. PAUL SAID IF YOU DISTURB MORE THAN 5 ACRES, THEY WILL NEED AND E & S PLAN.

**VI. PERSONS PLACED ON AGENDA:** NONE

**VII. OLD BUSINESS:** **1. FINAL ADOPT 2012 BUDGET - RES#5-2011 TAX LEVY RESOLUTION** AT 3.1 MILLS. TWP RECEIVED NOTICE OF NEW AMOUNT FOR POPULATION OF **2010 CENSUS OF 2424**. THERE WAS A DECREASE OF \$2,550; THEREFORE THE BUDGET HAD TO BE CORRECTED SHOWING THE INCOME/EXPENSE CHANGES. STATE FUND DROPPED FROM \$207,000 TO \$204,450. THE TOTAL BUDGET SUMMARY THEN CHANGES FROM \$560,208 TO \$557,658

GENERAL FUND		ROAD FUND		STATE FUND	
AVAILABLE	\$349290	AVAILABLE	\$3,918	AVAILABLE	\$204,450
EXPENSES	\$349290	EXPENSES	\$3,918	EXPENSES	\$204,450

**RES#6-2011 ANNUAL BUDGET REPORT TOTAL \$557,658 (ALL FUNDS)** MOTION BY PAUL TO ADOPT PROPOSED 2012 BUDGET AS PRESENTED, **RES#5-2011 TAX LEVY 3.1 MILLS** AND **RES#6-2011 ANNUAL BUDGET REPORT**; 2<sup>ND</sup> BY VAUGHN, UNAN-2 YES, JIM-NO; MOTION CARRIED.

**VIII. NEW BUSINESS:** **1. SUPERVISORS REORG MEETING;** MOTION BY VAUGHN, 2<sup>ND</sup> BY PAUL TO HOLD REORGANIZATION MEETING ON **TUESDAY, JAN. 3, 2012** AT MUNICIPAL BLDG AT 7:00 PM. AUDITORS MUST MEET THE FOLLOWING DAY, IN CHECKING WITH THEM TO WHAT TIME, THEY ARE GOING TO MEET AT THE MUNICIPAL BUILDING ON **WEDNESDAY, JAN. 4, 2012** AT 11:30 AT THE MUNICIPAL BLDG. UNAN-YES(3) SECRETARY WILL ADVERTISE. VAUGHN SAID REGINA WILL BE OUT OF TOWN. LAURA SAID THEY WILL BE IN A TELECONFERENCE IF THEY NEED REGINA, BUT SHE DOES NOT SEE MUCH CHANGING. PAUL SAID DON'T BE SURPRISED.

**2. BERKHEIMER** – WAS APPOINTED AT OUR LAST MEETING TO COLLECT ACT 511 TAXES(LST/OPT—PER CAPITA—AMUSEMENT). PAMS WILL NO LONGER COLLECT ANY TAXES FROM JAN 1, 2012. PAMS WILL CONTINUE TO COLLECT ALL DELINGUENT AND CURRENT TAXES UP TO DEC 31, 2011. BERKHEIMER HAS SENT US RESOLUTIONS AND AGREEMENTS FOR COLLECTION OF THOSE TAXES. THEY ARE AS FOLLOWS:

- A. LETTER FROM BERKHEIMER-CONTRACT AND INSTRUCTION**
- B. ELECTRONIC FUND TRANSFER—FIRST NATIONAL BANK, GENERAL FUND ACCOUNT.**
- C. RES#7-2011 CONFIDENTIALITY** WHICH APPOINTS A LIASON BETWEEN BERKHEIMER AND THE TWP, WHO WILL BE ABLE TO SHARE INFORMATION. SECRETARY ASKED IF THEY WOULD BE APPOINTING HER, PAUL SAID IT IS NOT AN APPOINTMENT, IT IS JUST DESIGNATING IT IN THE RESOLUTION--IT IS NOT A TRUE APPOINTMENT. SOLICITOR SAID IT IS NOT A NEW OFFICE. PAUL SAID WE DO NOT HAVE TO SPECIFICALLY STOP AND RECOGNIZE HER BECAUSE THE RESOLUTION DOES THAT. SOLICITOR SAID CORRECT. PAUL SAID OR DON'T YOU WANT TO BE? SECRETARY SAID SHE REALLY DOES NOT KNOW WHAT HE MEANS, IT ONLY MEANS THAT SHE CAN TALK TO THEM ABOUT THE TAXES. SECRETARY WAS GOING TO ASK SOLICITOR IF THE APPOINTMENT COULD GO BY POSITION INSTEAD OF A SPECIFIC PERSONS NAME, SUCH AS SECRETARY AND OR CHAIRMAN; LIKE TWP DID FOR THE PENSION PLAN. SOLICITOR SAID YES AS LONG AS BERKHEIMER DOES NOT HAVE A PROBLEM WITH THAT. MOT BY PAUL, 2<sup>ND</sup> BY JIM, TO ADOPT RES#7-2011 NAMING EITHER EMMA BRENDLINGER OR JUST NAMING THE POSITION SUCH AS SECRARY AND CHAIRMAN; UNAN-YES(3)

**D. RES#8-2011** APPOINT BERKHEIMER TAX HEARING OFFICER AND PURSUANT TO THE BILL OF RIGHTS FOR THE PURPOSE OF ADJUDICATING APPEALS THERE UNDER, WITH COPY OF BILL OF RIGHTS ATTACHED. MOT BY VAUGHN, 2<sup>ND</sup> BY PAUL, TO ADOPT RES#8-2011 AS PRESENTED; UN-YES(3)

**E. RES#9-2011** EMPOWERING BERKHEIMER TO IMPOSE FEE & RETAIN COSTS OF COLLECTION OF DEL. TAXES WHICH STARTS IN JAN. 1, 2012; FEE SCHEDULE ATTACHED. PAMS WILL COLLECT ANYTHING UP TO DEC. 31, 2011 MOT BY PAUL, 2<sup>ND</sup> BY VAUGHN TO ADOPT RES. #9, 2011 AS PRESENTED; UN-YES(3)

**F. RES#10-2011 PER CAPITA TAX & AGREEMENT** THAT TWP HAS TO SIGN WITH DIFFERENT RULES, DUTIES, & REGULATIONS FOR THEM TO COLLECT THE PER CAPITA TAX. SOLICITOR SAID WHEN YOU



APPROVE THIS IT IS YOUR INTENTIONS TO APPROVE BOTH THE RESOLUTION AND AGREEMENT. PAUL SAID THE LANGUAGE DOES NOT MEET SOLICITORS COMPLETE APPROVAL. VAUGHN SAID TWP WILL BE LOCKED INTO IT FOR 2 YEARS, SOLICITOR SAID YES. VAUGHN SAID UNTIL DEC. 2014. SOLICITOR SAID PROBABLY NONE OF THIS MAY NEVER COME UP. MOT BY PAUL, 2<sup>ND</sup> BY JIM TO APPROVE RES #10-2011 PER CAPITA AND AGREEMENT; UN-YES(3)

**G. RES#11-2011 AMUSEMENT TAX & AGREEMENT** AGAIN WITH THE RULES/DUTIES/REGULATIONS FOR THEM TO COLLECT THE AMUSEMENT TAX. MOT BY JIM, 2<sup>ND</sup> BY VAUGHN; TO APPROVE RES#11-2011 AMUSEMENT TAX AND AGREEMENT; UN-YES (3) PAUL SAID AMUSEMENT TAX WILL BE NEW TO PEOPLE, SECRETARY SAID IT WILL BE UP TO BERKHEIMER TO DECIDE WHO SHOULD PAY THIS. SECRETARY THINKS IT IS FOR ANYTHING THAT THERE IS A FEE FOR ADMISSION—SUCH AS GOLF COURSE, MIRROR LAKE AND WHAT ABOUT ANTIOCHIAN VILLAGE NOW? SECRETARY SAID IT WAS ADOPTED BY ORD. #3-1978, TWP HAS A HARD COPY. PAUL WOULD LIKE SOLICITOR TO REVISIT THE AMUSEMENT TAX. SOLICITOR SAID TWP WILL HAVE TO PROVIDE A LIST TO BERKHEIMER OF WHO THE TWP FEELS SHOULD BE PAYING THE AMUSEMENT TAX. BERKHEIMER WILL NOT COME OUT AND RESEARCH WHO OWES THE TAX.

**H. RES#12-2011 LST/OPT TAX & AGREEMENT.** TWP IS ONLY \$10 A YEAR AGAIN WITH THE RULES/ DUTIES/REGULATIONS FOR THEM TO COLLECT THE LST/OPT TAX. MOT BY VAUGHN, 2<sup>ND</sup> BY PAUL; TO APPROVE RES#12-2011 LST/OPT TAX AND AGREEMENT; UN-YES(3) SECRETARY IS TO SEND LETTERS TO BUREAU OF FINANCIAL MANAGEMENT AND STATE SYSTEM OF HIGHER EDUCATION ON THE EIT AND LST/OPT TAX. **3. FAIRFIELD FIRE HALL FUND RES#13-2011**—FAIRFIELD FIRE COMPANY WANTS TWP TO KEEP THE FIRE COMPANY FUND OPEN FOR ANOTHER YEAR. MOT BY PAUL, 2<sup>ND</sup> BY VAUGHN TO APPROVE KEEPING THE FIRE COMPANY FUND ACCOUNT OPEN FOR 2012, UN-YES(3) **4. PAUL** STATED ABOUT 2 WKS AGO THEY HAD A **MEETING WITH XTO ENERGY** OF THEIR INTENT TO PRODUCE A COMPRESSOR STATION ON MT. VIEW RD IN FFTWP. MEETING WAS INFORMAL AND THEY GAVE TWP SOME PICTURES OF WHAT IT COULD LOOK LIKE. THE MEETING WAS LEFT AS A POSSIBLE FUTURE PUBLIC MEETING HELD SOMETIME LATE WINTER OR EARLY SPRING.

**IX. PUBLIC COMMENT:** **1. ANN MARIE BLON 2. MAUREEN BLON**—IS IT POSSIBLE EVEN THOUGH SHE CAN NOT CALL ANYONE ON CELL, CAN SHE GET 911 ON CRICKET PHONE IN FFTWP. SHE SAID YOU COULD. SHE KNOWS CHINAMEN IN MALAYSIA ALL HAVE A CELL PHONE THAT WORKS. HOW COME WE DO NOT HAVE CELL PHONES THAT DO NOT WORK. SOLICITOR FEELS IT IS BECAUSE IT IS FLAT THERE. **3. DEB BARTLEY**—WHAT ARE THE RULES FOR NAMING YOUR DRIVEWAY OR LANE? VAUGHN SAID ON PRIVATE DRIVE, THE INDIVIDUAL NAME IT THEIR SELF IF THE DRIVEWAY SERVES MORE THAN 1 HOME; **BUT** TWP SUBMITS THE NAME TO 911 AND THEY WOULD HAVE TO APPROVE, IF THEY ARE DUPLICATED THEY USUALLY TRY TO NOT NAME LANES THE SAME DUE TO CONFUSION. DEB'S DOES NOT HAVE A NAME. SHE COULD NOT GET HER NEPHEW COUNTED ON THE CENSUS. **4. LAURA HENDERSON 5. PAULA BROWN 6. DAN BRENDLINGER** MAUREEN THANKED FOR THE COOKIES. VAUGHN THANKED SECRETARY FOR THE HARD WORK ON THIS AGENDA.

**X. ADJOURNMENT: MOTION BY JIM, 2<sup>ND</sup> BY VAUGHN, UNAN—YES(3) Time: 7:40 PM**

Submitted by: Emma Brendlinger, Sec-Tres

Fairfield Twp.-- 159 Midget Camp Rd. -- Bolivar, PA 15923 – 724-235-2140 – FAX 724-235-2752

www.fairfieldtp.com