

**WALKER TOWNSHIP BOARD OF SUPERVISORS**  
**February 7, 2024**

**Supervisors -** James Heckman, Chairman  
Zane Sherman, Vice Chairman  
Keith Harter

**Solicitor -** John Miller III

**Township Engineer -** Don Franson

**Zoning Officer -** Mike Lesniak

**Secretary -** Sue Wagner  
**Asst. Secretary-** Angel Emery

<b>Guests:</b>	Deb Zimmerman	Ben Stoltzfus	Dennis McDowell
	Rich Poorman	Tom Little	Doug Corman
	Melissa Nilles	Chris Miller	Chris Roan
	Aquilla Stoltzfus	Kris Little	Marlin Stoltzfus
	Tim Meyer	Roy Vonada	Amber Buchanan
	Jeffery Seymour	Ernie Jenkins	

Supervisor Heckman called the February 7, 2024 meeting to order at 6:02pm in the Walker Township Municipal Building.

**Pledge of Allegiance:** Supervisor Heckman led the group in the Pledge of Allegiance.

**Approval of January 2, 2024 Minutes:** On a motion by Supervisor Sherman, and second by Supervisor Harter, motion passed to approve January 2, 2024 meeting minutes as presented 3-0.

Supervisor Heckman introduced Angel Emery as the new Assistant Secretary/Treasurer for Walker Township.

**GUESTS:** Amber Buchanan presented the 2024 summer camp proposal. On a motion by Heckman and second by Sherman motion passed to give the summer camp program \$12,000, the same as last year, motion passed 3-0.

No other guest comments.

**ENGINEER REPORT:**

**Shady Farms**

- Engineer Franson presented the applicants authorization for agent form from Penn Terra for signatures from the Board of Supervisors. On a motion by Sherman and second by Harter motion passed to sign the applicant's authorization for agent to allow Penn Terra to apply for Highway Occupancy permits on those roads, motion passed 3-0.
- Mr. Franson presented the Chapter 102 permits and recommended it not be filled out unless there are any objections on the project, which there are not at this time.

Franson presented Ordinance 210 and the proposed changes which addresses road occupancy. Franson noted the changes being that applications should be reviewed by the Township Zoning Officer and Township Engineer, as well as requiring the submittal of two paper copies and one digital copy via email. The changes to how cut roads need to be restored were discussed. Supervisor Harter confirmed that these changes only apply to roads that are five years or newer, discussion ensued between Mr. Franson, Solicitor Miller, and the Board of Supervisors. Mr. Franson will bring the revisions to the March Board meeting for approval for advertisement.

The surety reduction for Deerhaven Phases 2B and 3B were tabled until March meeting.

**Solicitor Report:**

- The John and Elsie Glick public hearing was discussed. Solicitor Miller suggested the Board take action to indicate what conditions for approval or take action to deny it. Heckman's four conditions were a solid fence around the back side and along SR 64, a septic system or holding tank, a sign permit and additional parking. Sherman agreed. Zoning Officer Mike Lesniak, recommended a six-foot-tall fence. Harter recommended an entrance/exit of SR 64 to ease the road blockage of Hoy Road with the trucks backing in. **On a motion by Heckman and second by Sherman, motion passed to have Solicitor Miller prepare the conditions for John and Elsie Glick with the four conditions to be: a solid fence installed along SR 64 and the back of the building, a septic system or holding tank installed, a sign permit and additional parking to follow the township ordinance to be approved at the March meeting 2-1. (Supervisor Harter voted no)**
- Solicitor Miller met with Supervisor Harter regarding the Agenda item - Fire Company is in Violation of Fire Fund Agreement in Article 1.7 and Article 1.10. Mr. Miller had the following to say:
  1. 1.7 Provision of Grants. The Fire Company shall exercise reasonable efforts to apply for legitimate opportunities for grant funding from various sources to defer the cost of providing firefighting and emergency services within the Service Territory. The Fire Company may work with the Township to retain grant writer(s) where appropriate. My opinion of that is its sort of in the eyes of the Fire Company as to what Grants would be for legitimate opportunities, several months ago I made the statement that if the Township asked the Fire Company to apply for a grant for a helicopter that would not be very reasonable. So that is still my opinion that the fire company should use reasonable efforts to apply for grants that they think serve legitimate purposes. I told Keith if the Township did not feel the Fire Company was complying with that, Section 2.5 of the Agreement which talks about support for grants the Township is to provide information to the Fire Company regarding availability of granting opportunities and it also says in there, if necessary, the Township will apply for such grants in the Townships name. So, my comment was to Keith that if the Township Supervisors felt the Fire Company was not complying with Section 1.7 applying for Grants that the Township could do it, but that would take the action of the Supervisors to decide they wanted to pursue applying for the Grants.
  2. 1.10 Compliance with Law. The Fire Company shall, always, comply with all governmental rules and regulations governing the operation of volunteer fire departments within the Commonwealth of Pennsylvania. Keith's concern is the Fire Company is not compliant with a certain state regulation that fire fighters who are using self-contained breathing apparatus (SCBA) should not have facial hair that apparently is in violation of that regulation. If the Township Supervisors believe that is a violation of the Agreement, the Agreement says that the Township is to give written notice to the fire company that they have been in violation of the agreement, then they have 60 days to cure that default. In Paragraph 4.3 which deals with Termination with Cause, says that either party may terminate the agreement for cause by delivering a written termination notice to the other party their intent to terminate because the other party materially breached the agreement and the alleged breaching party has 60 days to cure the default. So that was my interpretation of the agreement in my discussions with Keith and it is up to the Supervisors if they want to pursue anything in violations of those

Discussion ensued regarding the Amish community and their religious requirement to have beards and how this would affect those that are members of the fire company. Supervisor Harter suggested the township check with workmen's comp to see if it would be an issue. **Harter made a motion to notify the Walker Township Fire Company in accordance with the fire agreement that they are in violation of 1.7 and 1.10. There was no second and the motion died.**

### ZONING:

- There were ten zoning permits issued in January.
- Zoning Officer Lesniak also reported on a few issues brought to his attention within the township that he is currently working on.
- Lesniak drove around to check on the work that Daversa has been doing as he has received complaints about that as well. It is Lesniak's opinion that Daversa is doing a great job at putting their sites back to what they were prior to the digging.
- The MOU's (Memorandums of Understanding) for Mingoville PV I and Mingoville PV II were presented to the Board of Supervisors for signatures. **On a motion by Heckman and second by Harter, motion passed to approve and sign the MOU for Mingoville PV I, LLC 3-0. On a motion by Sherman and second by Harter, motion passed to approve and sign the MOU for Mingoville PV II, LLC 3-0.**
- No action was taken on the chapter 102 permits for Mingoville PV I and Mingoville PV II as previously recommended by Township Engineer, Don Franson.
- John and Elsie Glick Minor Subdivision was for the time being.

### ROADMASTER:

- Harter spoke with the road crew regarding 2024 road projects, all agree that Zion Back Road should be investigated as well as roads within the Ridge Crest Development. Don Franson will be setting up a meeting with Tony Fruchtl of Penn Terra to discuss the agreement done at the beginning of the Deerhaven project with the developers to help fund Zion Back Road. Discussion ensued about the costs and what the process would be to get an estimate. Harter will contact Matt Kenepp after meeting with Don Franson to go look at roads and get estimates.
- The salt contract was discussed and it was decided to do the contract for the same amount as last year, 450 Tons.
- Line Painting has been submitted and is out for bid.
- The flashing "STOP" sign at the end of Sand Ridge Road was hit, a new sign has been ordered.
- Routine maintenance in the shop, old playground equipment is being taken out as well.

### Parks and Rec:

- Deb Zimmerman reported that the Easter egg hunt will be March 30, 2024 at 1:00 p.m.
- The new playground equipment should be arriving in April.

### NEW BUSINESS:

- The request from the Bellefonte Area High School to contribute to the senior awards was reviewed. **On a motion by Harter and second by Sherman, motion passed to send \$450 as done in the past 3-0.**
- Secretary/Treasurer, Sue Wagner, reported on the ARF (American Rescue Funds). Wagner suggested taking the remaining \$5,680.49, which does not include any interest it has accrued since January, and applying to the ceiling tiles to empty the account for closure. **On a motion by Harter and second by Heckman, motion passed to accept Wagner's proposal and empty the account by using it to pay for the new ceiling tiles 3-0.**
- Resolution numbers were not correct in November and December, Wagner reported Resolution 23-481 should have been 23-482; Resolution 23-482 should have been 23-483; and Resolution 23-483 should have been 23-484. Wagner discussed the issue with Solicitor Miller who recommended doing a motion to revise the number through a motion as opposed to changing the resolution numbers. **On a motion by Heckman and second by Harter, motion passed to amend the November and December Board minutes to reflect the correct resolution numbers 3-0.**
- The handbook was discussed as there are some changes that need to be addressed. Assistant Secretary/Treasurer Emery questioned whether herself and Wagner could type up the changes that they would like to see as well as inquire the board members and other employees for their input and present it to the board at a meeting to see whether a special meeting regarding the handbook is warranted.
- The signs for the compost area were discussed, still waiting for the proofs of the signs. The proofs will be forwarded to the board for approval at the March meeting. Sherman would like the opportunity to come up with some recommendations for the compost area so its hours are more accessible to the public but also the township have control of who is dumping.

- Harter and Sherman attended the Nittany Valley Joint Planning Commission meeting. The Benner Pike corridor was discussed and the possibility of state input to help with the project. Harter reported that Howard and Bellefonte have submitted their fire study information. Harter is no longer interested in attending the NVJPC meetings, a new representative from the Board of Supervisors will be appointed at the March meeting.

**OLD BUSINESS:**

- Sherman thanked Deb Zimmerman and Doug Corman for their previous work on the Fire Company Joint Operating Committee (JOC). Sherman, working with Doug Corman, finalized a list of resident candidates as follows: Dale Brooks, John Curtain, Adam Hockenberry, Elmer Glick, Dorreen Koleno, Matt Rickard, JR Toner, John Torres, and Matt Watson. Since the approval process for selecting resident candidates is not documented in the FPFA, Sherman presented a recommendation for selecting three residents to be on the JOC, copy attached. There was not further discussion on the recommendation and it was used for approving the three residents. The three members voted to serve on the fire company joint operating committee were JR Toner, John Torres, and Matt Rickard.
- Sherman discussed what he has done thus far as to the fire hydrant agreement with the Walker Township Water Association (WTWA). The township already has an agreement with PA American to pay for hydrants in other parts of the township. Sherman recommends the township enter into an agreement with WTWA to support the fire hydrant maintenance with proper standards being met by the association, a dollar amount has not yet been discussed. Harter would like to send surveys out to the residents of Walker Township to get their input regarding the Township providing funding to WTWA for fire hydrant maintenance. Sherman suggested the public should come to the meetings with their input. Heckman would like to see this issue concluded as it has been an ongoing issue for a few years. Sherman and Harter could not come to an agreement on the issue. **Harter motioned to send a survey/letter, done by the township solicitor with input from Rod Beard, Walker Township Water Association's solicitor, to the public to see what they would like, no second received and motion died.**  
**On a motion by Heckman and second by Sherman, motion passed for Sherman and Tom Little get back together and discuss things further, Harter voted no 2-1.**  
Harter would like it reflected in the minutes that he stated "they are screwing their residents."  
Sherman would like it reflected in the minutes that he stated "he does not agree with that verbal statement."

**OTHER BUSINESS:**

Heckman made a motion to approve the January 2024 General Fund Paid Bills in the amount of \$114,178.84 and Treasurer's Report; motion second by Sherman and approved by all.

Meeting adjourned for executive session at 8:45 p.m.

Executive session to discuss personnel matters- regular meeting called back to order at 9:06 p.m. by Heckman.

**On a motion by Harter and second by Sherman, motion passed to adjourn at 9:07 p.m. 3-0.**

Respectfully Submitted,

Susan Wagner/Angel Emery

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Keith E. Harter

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James B. Heckman

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Zane E. Sherman



Fire Company and Funding Agreement (FPFA) Joint Operating Committee (JOC)

Walker Township Resident Approval Process

- I. Resident JOC Positions Available
  - a) Per FPFA paragraph 3.1 Joint Operating Committee
    - i) Three (3)
- II. Criteria For Consideration as a Candidate for JOC resident positions
  - a) Per FPFA paragraph 3.1 Joint Operating Committee
    - i) Candidate must be a Resident of Walker Township
    - ii) Candidate cannot hold a position in the (Walker) Township – position interpretation used, Township employee, appointed Township position on Township committee or board, elected official of the Township
    - iii) Candidate cannot hold a position in the Walker Township Fire Company - position interpretation used, active member of the Walker Township Fire Company
- III. Approval
  - a) Per FPFA 3.1 Joint Operating Committee
    - i) Candidate must be approved by the Walker Township Fire Company (hereafter referred to as "Company") and Supervisors (of Walker Township)
    - ii) JOC Include three (3) Walker Township Supervisors
    - iii) JOC include three (3) members of the Company
  - b) Votes
    - i) During the voting process used to approve a resident for a position on the JOC, each JOC member of the Company shall cast one (1) vote, "Y" or "N", for each resident candidate
    - ii) During the voting process used to approve a resident for a position on the JOC, each Supervisor JOC member shall cast one (1) vote, "Y" or "N", for each resident candidate
    - iii) A "Y" vote indicates candidate is approved to be a resident member of the JOC
    - iv) A "N" vote indicates candidate is NOT approved to be a resident member of the JOC
    - v) Any resident receiving four (4) of six (6) "Y" votes shall be eligible to fill an opening on the Committee
  - c) Voting Process
    - i) Each resident name referenced in Section IV. Resident Candidates shall be placed on a ballot
    - ii) A ballot shall be provided to each Supervisor and Company JOC member
    - iii) Voting process as documented in Figure I below.

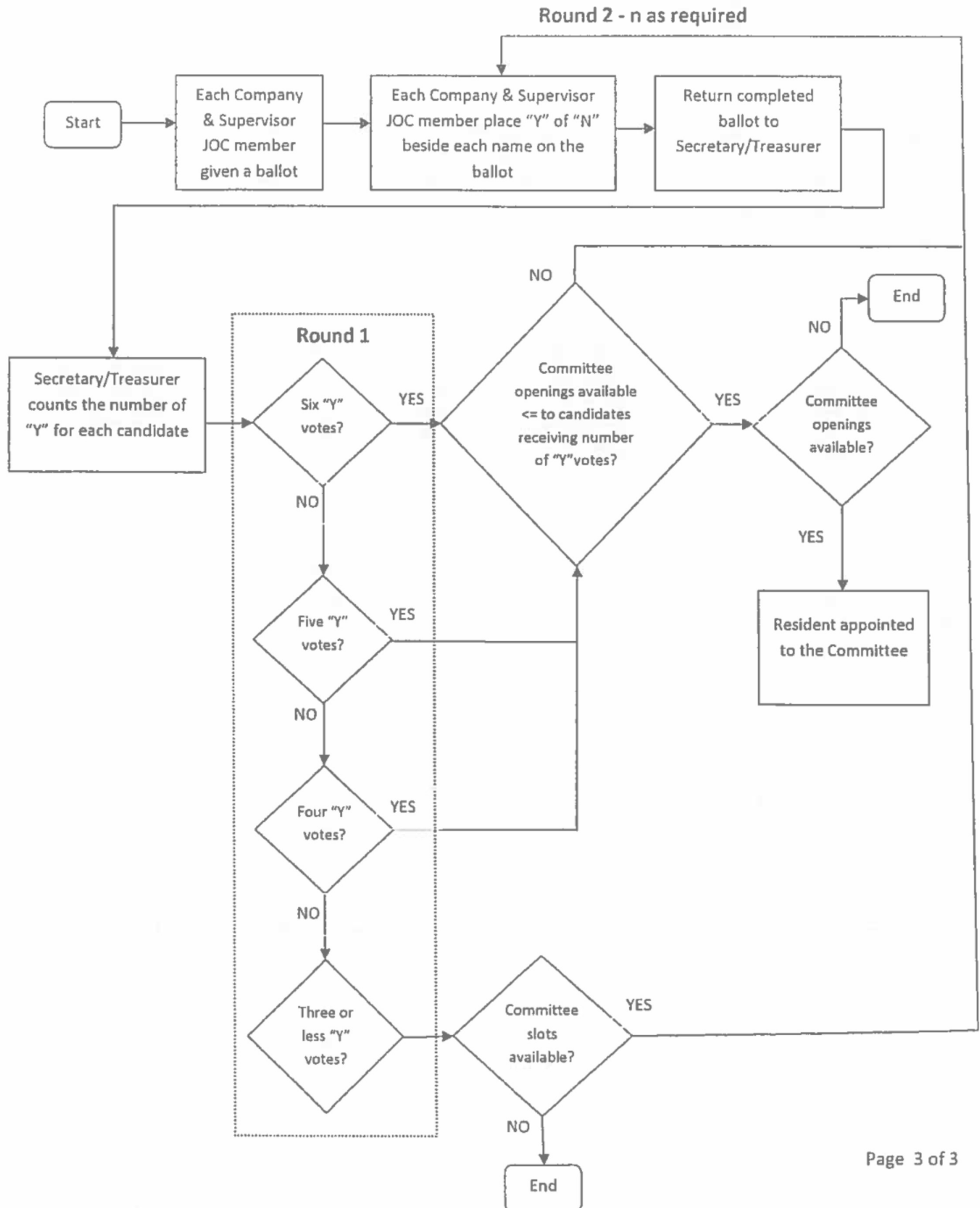


Figure I