

WALKER TOWNSHIP BOARD OF SUPERVISORS
April 3, 2024

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

Solicitor -- **John Miller III**

Township Engineer - **Don Franson**

Zoning Officer - **Mike Lesniak**
Justin Dashem

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

Guests: **See Attachment**

Chairman Heckman called the April 3, 2024, meeting to order at 6:01pm in the Walker Township Municipal Building.

Pledge of Allegiance: Chairman Heckman led the group in the Pledge of Allegiance.

Approval March 6, 2024, Minutes: **On a motion by Sherman and 2nd by Harter, motion passed to approve the March 6, 2024 minutes as presented.**

AGENDA ITEMS:

- Representatives from the Pleasant Gap Fire Company spoke about their ambulance service and their need for financial assistance. Discussion was held about the lack of reimbursement from the state for service to the penitentiaries and how that affects the ambulance service's financial state. **On a motion by Sherman and second by Harter, motion passed to provide a \$10,000 contribution to the Pleasant Gap Fire Company's Ambulance Services 3-0.**
- Larry Pegher spoke about the Solar Power Purchase Agreement. A question and answer was held and the Board of Supervisors ultimately decided that they would need to do more research on the matter.

GUESTS:

- Doug Corman questioned who the contractor is putting in the fiber internet, Daversa is the company, and their information is on Walker Township's website.

ENGINEER'S REPORT:

- Don Franson presented the recent proposed changes to ordinance 210, the first change being that the word "emergency" was added, Franson explained that the PUC now runs the PA One Call system instead of the Labor and Industry and they are much stricter on what is deemed an "emergency." The use of the word emergency and how it could be misused was discussed, Franson recommended leaving the word emergency to see how it goes and whether it gets abused. Another change to the ordinance is "new pavement" has been defined as any roadway surfaced in less than 5 years. Discussion was held about Hublersburg Road being cut and whether the township was given the proper documentation prior to the cutting being done. Ordinance 210 was tabled until next month.
- Franson presented the Act 14 notification received from PA American Water for Madison Avenue, he contacted the engineer for the project and asked for a set of plans, new water lines are being placed in the whole area of Madison Avenue and Pike Road (SR445). The plans were reviewed by the Supervisors, and it was decided that Don Franson would contact the engineer of the project and make them aware that the township does not approve of cutting the road so that a more suitable plan can be agreed upon.
- 404 Forest Avenue plans were reviewed, Franson reported on the changes to the plan. An HOP will be required and PennDOT will require the township agree that the township will be responsible for and maintain the pipe, not PennDOT. Franson will continue with the HOP application.

SOLICITOR REPORT:

- Solicitor Miller presented Ordinance 221 which is the Franchise Agreement with Comcast. **On a motion by Heckman and second by Sherman motion passed to adopt ordinance 221, franchise agreement with Comcast 3-0.**
- **On a motion by Harter and second by Sherman, motion passed to authorize John Miller to prepare and advertise an ordinance for the franchise agreement with Zito 3-0.**
- Cornerstone Farm was sent notice that the license agreement for the farmland was revoked and terminated due to the annual rental payment not being made in a timely manner. **On a motion by Heckman and second by Harter motion passed to put the farmland out for bid again, with bids being opened at the May Board of Supervisors meeting 3-0.** The exact acreage was discussed and determined there is 27 acres.
- Z.B. Forest Products entered into a road maintenance agreement with the township a few years ago but never closed out the project or requested their cashier's check and letter of credit to be returned until recently. **On a motion by Heckman and second by Sherman, motion passed to return the cashier's check and letter of credit to Z.B. Forest Products 3-0.**
- Big Mountain Lumber contacted the township office for a road maintenance agreement (RMA) that would involve .99 miles of Benner Road and a portion of Nilson Road which would require a surety of \$18,625. The signed RMA and performance bond were returned to the office for approval at the meeting. **On a motion by Harter and second by Sherman, motion passed to allow Big Mountain Lumber to use Benner and Nilson Roads contingent upon John Miller's review and approval of the RMA documents received 3-0.**

ZONING:

- Mike Lesniak reported that the Taylor subdivision plans are all accurate and ready for approval. **On a motion by Heckman and second by Sherman, motion passed to approve the Taylor subdivision plan 3-0.** The meets and exceeds letter is ready. **On a motion by Harter and second by Sherman, motion passed to authorize Penns Valley Code to issue the meets and exceeds letter for the Taylor subdivision 3-0.** **On a motion by Harter and second by Sherman, motion passed to accept the Park and Rec's fee in lieu of recommendation in the amount of \$2,500 3-0.**
- There was a lengthy discussion about the opt in/opt out options with the Uniform Construction Code (UCC). As of right now, Walker Township is an opt out township and therefore, Labor and Industry must do all commercial building code inspections. There are certain steps required for a township to become an opt in township such as giving Labor and Industry 180 days' notice that the township desires to become opt in, as well as the adoption of an ordinance, an appeals board in place and a fees schedule set and adopted. A building code official will need to be chosen by the township for commercial inspections within the township. The township planning commission discussed this issue at their previous month's meeting and recommended that the township opt in. **On a motion by Heckman and second by Harter, motion passed to proceed with the township changing to opt in with the UCC and taking any steps necessary 3-0.**
- Tony Fruchtl, PennTerra Engineering, reported that the amended Memorandum of Understanding is not ready and he will contact the township when it needs to be put back on the agenda.
- Deerhaven Phase 4 was reviewed. **On a motion by Harter and second by Heckman, motion passed to accept the Parks and Recs recommendation of \$33,750 for the fee in lieu of payment 3-0.** Engineer comments were discussed with Don Franson recommending approval contingent upon his review and acceptance. **On a motion by Sherman and second by Heckman, motion passed to authorize the issuance of the meets and exceeds letter contingent on Don Franson's comments being resolved 3-0.** **On a motion by Heckman and second by Sherman, motion passed to accept the street name "Velvet Lane" 3-0.**
- The Memorandum of Understanding for Shady Farms was reviewed. **On a motion by Heckman and second by Sherman, motion passed to sign and approve the Shady Farms Memorandum of Understanding as presented 3-0.**
- Mingoville PV I and II Solar plans were discussed. There were various engineer comments that need addressed. **On a motion by Heckman and second by Sherman, motion passed to conditionally approve the issuance of the meets and exceeds letter contingent upon Don Franson's approval 3-0.**
- There were 22 zoning permits issued in March.

ROADMASTER:

- Harter presented the paving estimates received from Matt Kenepp which would include Cherry Ridge Court, Blue Spruce Road, Hemlock Drive, Zion Ridge Avenue, Cedar Lane, Nittany Crest Avenue and Zion Back Road. It was recommended that the projects be bid separately. The finances, budget, and the possibility of doing the projects in phases was discussed by the board. **On a motion by Harter and second by Sherman, motion passed to have Matt Kenepp and Don Franson finish the estimate so that it can be put out for bid at the next month's meeting 3-0.**
- Harter questioned how Hublersburg Road was closed without his knowledge, Heckman explained he got a call that they were replacing the line at School Street, and he informed the Secretaries but takes full responsibility for not everyone being informed.
- Harter reported that the township truck was rear ended, the township employee was not at fault, and no one was injured. The township is still waiting for the estimate for the repairs.
- Mr. Roan from the water company requested a walk-through for the areas that the water line has been installed. Don Franson contacted the inspector and will be setting that up with him.
- There are 2 places where Daversa broke the shoulders of the road in Springfield Development, Harter took pictures to ensure it gets properly fixed.

Parks and Rec:

- Leah Burd spoke about the new playground equipment being installed. Parks and Rec would like to request a \$12,000 loan as the fee in lieu of money that was expected has not come in yet. **On a motion by Heckman and second by Harter, motion passed to approve lending \$12,000 to Parks and Rec to 3-0.**
- Burd spoke on the fencing around the basketball court and the need to get quotes to fix it as it is a safety concern at this point. Sherman recommended taping off the basketball court and tennis court to try to prevent injury. Don Franson will inspect the fencing and provide a recommendation.
- An inactive Parks and Rec member was discussed, and what can be done when a member is not attending meetings. Solicitor Miller recommended asking the member if he or she would like to resign.
- A request was received to purchase extra pavers that Parks and Rec has had for years in storage. They were put out to bid in previous years with no bids received. Parks and Rec approved the sale of the excess pavers, **on a motion by Harter and second by Sherman, motion passed to agree with Parks and Rec's decision to sell 40 pavers at \$2.00 a piece 2-0. (Heckman abstained)**

NEW BUSINESS:

- PA Fire and Emergency Service Institute information was presented by Sherman just as an FYI.
- Sherman reported on the Nittany Valley Joint Planning Commission (NVJPC) meeting. Centre County is going to be doing a growth forecast project and will be working with the planning commission.
- **On a motion by Heckman and second by Sherman, motion passed to send CPI the same award amounts as last year which was 3 \$100 awards 3-0.**
- **On a motion by Heckman and second by Harter, motion passed to appoint Angel Emery as Secretary/Treasurer and Sue Wagner as Asst. Secretary/Treasurer effective April 1st 3-0.**
- Long time secretary, Donna Reese, has resigned from Planning Commission Secretary and the Planning Commission Board. **On a motion by Heckman and second by Sherman, motion passed to accept Donna Reese's resignation 3-0.** Discussion ensued about filling her position. **On a motion by Harter and second by Sherman, motion passed to advertise to replace Donna as the Planning Commission representative 3-0.** Discussion was held about how to fill the Planning Commission Secretary vacancy so that the agenda and minutes can be done for the April meeting. Wagner will contact the Planning Commission Chairman.

OLD BUSINESS:

- Walker Township Water Association Hydrant Agreement is still ongoing.
- No updates have been made regarding the handbook yet. Sherman questioned whether the handbook is applicable to the Supervisors or if it is for employee's only and not elected officials. Solicitor Miller does not have a copy of the handbook, he will review it after Emery sends him a copy.
- Signs are ready for the compost area, Sherman volunteered to pick them up.

OTHER BUSINESS:

Quarterly report received from the Walker Township Fire Company.

Sherman made a motion to approve the March 2024 General Fund Paid Bills in the amount of \$44,097.29 and Treasurer's Report; motion second by Harter and approved by all.

Meeting adjourned for Executive Session at 8:50 p.m.

Executive Session to discuss personnel matter- regular meeting called back to order at 8:58 p.m.

On a motion by Harter and second by Sherman, motion passed to adjourn at 9:00 p.m. 3-0.

Respectfully Submitted,

Angel Emery

Keith E. Harter

James B. Heckman

Zane E. Sherman