
REGULAR SEMI-MONTHLY MEETING
December 9, 2008

The regular semi-monthly meeting of the Board of Supervisors, Hanover Township, Northampton County, Pennsylvania was called to order by Chairman John N. Diacogiannis at the Hanover Township Municipal Building, 3630 Jacksonville Road, Bethlehem, Pennsylvania, 18017 at 7:30 P.M.

Present were Supervisors Salvesen, Nagle and Walbert, Engineer Birdsall, Solicitor Broughal, Public Works Director Kevin Healy and Township Manager John J. Finnigan, Jr.

The Pledge of Allegiance was performed.

Upon motion of Mr. Salvesen, seconded by Mr. Nagle, the Board of Supervisors approved the Agenda with an addition under developments and an Executive Session for Personnel Matters.

Mr. Salvesen aye, Mr. Nagle aye, Mr. Walbert aye, Mr. Diacogiannis aye.

Upon motion of Mr. Salvesen, seconded by Mr. Nagle, the Board approved the minutes, as written, from the meeting of the Board of Supervisors dated November 25, 2008.

Mr. Salvesen aye, Mr. Nagle aye, Mr. Walbert aye, Mr. Diacogiannis aye.

Upon motion of Mr. Nagle, seconded by Mr. Salvesen, the Board approved the List of Bills and Transfers dated December 9, 2008 as prepared by the Secretary/Treasurer, and to enter the signed List of Bills by the Secretary/Treasurer and the Board of Supervisors as an attachment to the minutes.

Mr. Salvesen aye, Mr. Nagle aye, Mr. Walbert aye, Mr. Diacogiannis aye.

COURTESY OF THE FLOOR

It was noted that no one wished to offer any comment.

REPORT OF THE CHAIRMAN

Mr. Diacogiannis commented on the Holiday Festivities at the Community Center this past Friday night. Mr. Diacogiannis stated he received compliments from others; people look forward to this every year, compliments on "Santa Claus"; Santa did an outstanding job and they want him back next year. Mr. Diacogiannis thanked everyone who participated in the event.

Mr. Diacogiannis commented on The Morning Call articles concerning the casino, regarding revenue sharing. Mr. Diacogiannis stated that the articles were dead wrong as to what Hanover Township prefers; we do not support the position of Bethlehem Township; we support equal shares among all municipalities. Mr. Finnigan stated there will be a correction in tomorrow's paper.

REPORT OF THE VICE-CHAIRMAN

Mr. Walbert had nothing to report.

SUPERVISOR'S COMMENTS

It was noted that no one had any comments.

PUBLIC WORKS

Mr. Salvesen opened the discussion regarding the Residential Waste and Recycling Curbside Contract regarding expanding the recyclable pick-up pertaining to plastics from PET and HDPE to all plastics marked with #1 through #7 with the exception of any Styrofoam. Our contract requires Board of Supervisors approval to add items to the curbside collection with J.P. Mascaro & Sons. Mr. Salvesen noted for the record that Township staff has not yet met with the contractor, and the cost of this change, if any, is not yet known.

Mr. Healy explained the justification of why this would be beneficial and explained how much weight we have taken out of the waste stream by the Township hauling yard waste. Mr. Healy noted that we collected 295.68 tons of yard waste and 1,160 tons of leaves this year. Mr. Healy stated that according to our contract we are permitted to add things periodically at the Board's discretion.

Mr. Walbert stated he thinks it is a good idea and he takes his recyclables that the Township does not collect down to the City of Bethlehem Recycling Center because he doesn't feel they should be put in the landfill.

Mr. Salvesen moved that the Board approve expanding the plastics collected at the curb as recyclables from PET and HDPE to all plastics marked #1 through #7 with the exception of any and all Styrofoam and to notify the Contractor of the Board's action relative to this matter.

Mr. Walbert seconded the motion.

Mr. Salvesen aye, Mr. Nagle aye, Mr. Walbert aye, Mr. Diacogiannis aye.

Mr. Tanczos arrived at 7:45 P.M.

ADMINISTRATION

Mr. Nagle introduced the presentation on the Pension Plan.

Mr. Paul Kosiba from PNC Advisors was present to update the Board on the status of the Hanover Township Pension Plan – Defined Benefit Only. Mr. Kosiba will forward a report to the Board, as requested by Mr. Salvesen, by the end of December 2008.

Mr. Nagle moved to approve the following 2008 Budget Amendments to General Fund and Recreation:

GENERAL FUND EXPENDITURES						
Account Number	Name	Budget 2008	YTD as of 11/25/08	YTD%	AMOUNT OF CHANGE	REVISED BUDGET AMOUNT
400.1100	Salary of Elected Officials	12,500.00	11,122.13	0.89		
400.2100	Office Supplies	8,000.00	7,123.86	0.89		
400.2500	Contract Service Fees	33,600.00	34,224.77	1.02	1,300.00	34,900.00
400.2600	Office Equipment	13,000.00	10,425.42	0.80		
400.2610	Web Site Maintenance	1,600.00	3,687.19	2.30	2,400.00	4,000.00

400.2650	Computer Maintenance	5,800.00	3,890.30	0.67		
400.3200	Communication	8,400.00	7,431.00	0.88		
400.3210	Postage	4,000.00	2,705.49	0.68		
400.3220	Newsletters	33,676.00	41,219.03	1.22	7,624.00	41,300.00
400.3400	Advertising and Printing	8,000.00	3,269.55	0.41	-3,000.00	5,000.00
400.4200	Association Dues and Expenses	3,000.00	1,677.00	0.56	-1,000.00	2,000.00
400.4210	Supervisors Convention	5,500.00	3,411.98	0.62	-2,088.02	3,411.98
400.4220	Refunds - Duplicate Tax Payments	0.00		#DIV/0!		
400.4250	Refunds - EMST	0.00				
401.0000	Township Manager Salary	92,025.00	84,793.83	0.92		
402.1100	Auditing Services	11,000.00	8,500.00	0.77	-2,000.00	9,000.00
402.2000	Payroll Preparation	2,138.41	3,145.69	1.47	1,800.00	3,938.41
403.3000	Tax Collection Charges	63,821.80	58,773.13	0.92	5,000.00	68,821.80
403.3010	Tax Collector Fee	12,039.25	11,784.36	0.98		
403.3020	Deputy Tax Collector Wages	0.00		#VALUE!		
403.3200	Postage Tax Collector	0.00		#DIV/0!		
403.3400	Printing Charges Tax Collector	0.00		#DIV/0!		
404.3100	Legal Services and Charges	42,000.00	44,299.58	1.05	6,300.00	48,300.00
405.1200	Secretary/Treasurer Salary	55,215.00	47,689.77	0.86		
405.1210	Meetings Secretary	880.00	680.00	0.77		

405.1400	Assistant Secretary/Treasurer	42,222.18	38,368.26	0.91		
405.1410	Meetings Assistant Secretary	80.00	120.00	1.50	40.00	120.00
405.1420	Receptionist Clerk & Office Assoc. Wages	51,545.00	46,361.75	0.90		
405.1430	Outside Services	0				
405.1440	Managers Secretary	32,427.72	29,805.35	0.92		
405.3500	Bonding	3,627.50	1,359.00	0.37		
408.1000	Engineer Retainer Fee	2,520.00	2,310.00	0.92		
408.3100	General Engineer Charges	29,000.00	30,726.49	1.06	4,800.00	33,800.00
409.2290	Heating Office	14,241.15	7,823.02	0.55	-5,000.00	9,241.15
409.2300	Heating Shop	7,668.30	5,121.54	0.67	-1,000.00	6,668.30
409.2500	Repair and Maintenance Supplies	7,308.53	5,999.78	0.82		
409.2550	Salary Maintenance	0.00				
409.2555	Cleaning	6,000.00	3,047.00	0.51	-2,000.00	4,000.00
409.3610	Electric Office and Shop #1	12,100.00	7,939.87	0.66	-3,000.00	9,100.00
409.3620	Electric Shop #2	0.00				
409.3660	Water/Sewage Office/Shop	3,000.00	2,329.39	0.78		
409.3670	Utilities - 248 Brodhead	20,000.00	25,539.03	1.28	8,000.00	28,000.00
410.0000	Regional Police Contributions	1,210,287.00	1,133,441.65	0.94		
410.3000	Crossing Guard Salaries	16,640.00	12,442.40	0.75	-2,500.00	14,140.00
410.3190	Uniforms Crossing Guards	200.00		0.00	-200.00	0.00

411.5400	Fire Company Expenses	143,425.00	143,425.00	1.00		
411.5410	Firemans Relief Fund	102,622.93	108,163.14	1.05	5,540.21	108,163.14
411.5420	Fire Hydrant Rental	110,000.00	102,215.65	0.93	1,500.00	111,500.00
411.5430	Emergency Medical Services	0.00				
411.5440	Fire Company Fuel Reimbursement	17,000.00	10,424.00	0.61		
413.0000	Salary Animal Control/Enforcement Officer	0.00				
413.0100	Animal Control Supplies	25.00	7.94	0.32		
413.0110	SPCA Charges	1,500.00	230.00	0.15		
413.0200	Salary Zoning Officer	50,666.62	46,256.41	0.91		
413.0210	Code Enforcement Assistant - Wages	26,083.20	23,692.44	0.91		
413.0250	Salary Building Inspector	0.00				
413.0300	Salary Assistant Building Inspector	0.00				
413.0310	BOCA Examiner	9,300.00	8,964.50	0.96		
413.0320	BOCA Appeals	1,000.00			-1,000.00	0.00
413.0400	Zoning Officer, Building Inspector & Code Enforcement Officers Supplies	1,500.00	1,307.50	0.87		
413.0410	State UCC Expense	174.00	1,276.00	7.33	1,300.00	1,474.00
413.0500	Outside Prof Help	110,000.00	101,563.57	0.92	-1,000.00	109,000.00
414.0000	Planning and Zoning	80,000.00	29,289.46	0.37	-49,000.00	31,000.00
414.0100	Planning Commission Clerk Meetings	2,136.05	1,351.73	0.63	-500.00	1,636.05

414.0110	Planning Commission Clerk Mileage	205.89	135.34	0.66		
414.1300	Salary Zoning Hearing Board	900.00	900.00	1.00		
414.1350	Salary Planning Commission	2,100.00	525.00	0.25	-1,575.00	525.00
414.3110	State UCC Fee	0.00				
415.3000	Emergency Management	3,175.00	2,979.94	0.94		
415.3010	Crime Watch	2,500.00	1,779.95	0.71		
427.0000	Refuse Collection	942,612.00	875,505.95	0.93	14,000.00	956,612.00
427.0100	Recycling	16,298.00	6,703.68	0.41	-9,000.00	7,298.00
427.0110	Compost ID	1,524.00	3,618.00	2.37	2,400.00	3,924.00
427.0120	Petty Cash-Refuse		(250.00)	#DIV/0!	250.00	250.00
429.0000	Sanitary Sewer Expenses	106,000.00	68,273.41	0.64	-36,000.00	70,000.00
429.3000	Operations Charges Sanitary Sewer	6,405.96	7,951.30	1.24	3,200.00	9,605.96
429.3010	One Call Services	16,000.00	17,997.81	1.12	4,000.00	20,000.00
430.0000	Public Works Director Salary	69,510.10	64,048.15	0.92		
430.0100	Road Crew Salary	413,000.00	357,517.14	0.87		
430.0150	Roadmasters Salary	25,000.00	21,354.80	0.85		
430.0200	Road Superintendent Salary	61,476.62	56,125.45	0.91		
430.2000	Supplies Public Works	5,235.00	7,685.49	1.47	3,300.00	8,535.00
430.3000	CDL Testing/PA Pesticide Reg.	1,200.00	991.00	0.83		
432.0000	Snow and Ice Removal	15,000.00	15,712.41	1.05	2,000.00	17,000.00

433.0000	Traffic Signals/Street Signs/Markings	21,990.00	7,997.79	0.36	-12,000.00	9,990.00
433.1000	Traffic Signalization / Maintenance	31,877.45	24,242.87	0.76	-5,000.00	26,877.45
434.0000	Street Lighting	147,840.00	110,489.22	0.75	-27,000.00	120,840.00
437.0000	Repair/Maintenance Tools/Machinery	35,100.00	45,718.98	1.30	18,000.00	53,100.00
437.0100	Purchase Tools/Equipment	22,355.00	9,089.31	0.41		
437.0110	Purchase Communication Equipment	4,800.00	2,360.83	0.49		
437.0150	Equipment Rental	10,000.00		0.00	-10,000.00	0.00
439.0000	Road Materials	31,500.00	16,296.86	0.52		
439.1000	Outside Labor	0.00				
439.2310	Vehicle Fuel	23,000.00	37,660.43	1.64	20,000.00	43,000.00
440.0100	Airport Advisory	2,350.00	1,235.00	0.53		
451.3710	Recreation Open Space		141,423.04	#DIV/0!		
454.4500	Fertilization of Lawns	6,200.00	7,286.25	1.18	1,100.00	7,300.00
455.0000	Shade Tree Commission	9,300.00	50.00	0.01		
456.0000	Library Contributions	155,494.00	142,536.13	0.92		
462.0000	Affordable Housing	1,750.00	1,750.00	1.00		
465.1200	Community Relations Director	32,273.78	27,776.52	0.86		
470.0000	Debt Service		444,834.66	#DIV/0!		
480.0000	Miscellaneous	17,440.15	2,840.79	0.16		
480.0050	Uniforms/Clothing	7,576.00	4,091.78	0.54		
480.0090	Mileage/Travel - Staff	487.07	269.46	0.55		
480.0100	Seminars & Training	8,000.00	7,921.73	0.99		

480.0110	Easements/ Rights-of-Way	25,000.00		0.00	-24,000.00	1,000.00
480.0300	Special Events	28,200.00	18,264.57	0.65		
480.1000	Bank Charges and Fees	1,482.77	1,671.16	1.13	750.00	2,232.77
483.0000	Employee Retirement State Contribution	60,921.44	70,099.25	1.15	9,177.81	70,099.25
483.0100	Employee Retirement DBP	297,040.35	297,040.35	1.00		
483.0110	Regional Police Pension State Contribution	72,243.00	82,271.03	1.14	10,028.03	82,271.03
483.0200	Employee Retirement DCP	6,555.90	5,438.24	0.83		
485.0000	PA Unemployment Compensation	4,395.52	4,337.86	0.99	250.00	4,645.52
486.0000	Social Security Taxes	75,481.12	75,048.66	0.99	7,000.00	82,481.12
486.1560	Employee Benefits	232,464.43	220,574.60	0.95	8,000.00	240,464.43
486.1590	Pension Life Insurance	6,092.00	9,622.72	1.58	4,000.00	10,092.00
486.3510	Insurance Fire/Liability/Building/Equipment	30,573.50	32,719.00	1.07	2,500.00	33,073.50
486.3540	Workmen's Compensation	33,000.00	17,052.33	0.52	-9,691.45	23,308.55
492.0000	Capital Reserve Transfers	1,221,879.30	2,308,446.12	1.89		
492.1000	Capital Reserve Transfer-Fire Equip.	0.00	227,175.02	#DIV/0!		
493.0000	Transfer to Other Funds	273,005.58	325,000.00	1.19	51,994.42	325,000.00
	TOTALS:	7,156,306.57	8,560,943.33	1.20	0.00	
RECREATION EXPENDITURES						

Account Number	Name	Budget 2008	YTD as of 11/25/08	YTD%	AMOUNT OF CHANGE	REVISED BUDGET AMOUNT
400.3220	Newsletters	8,500.00	6,724.16	0.79		
402.2000	Payroll Processing	4,698.02	5,525.08	1.18	1,800.00	6,498.02
437.0100	Recreation Facilities Equipment	0.00				
451.1400	Park & Recreation Wages	13,938.00	16,068.17	1.15	2,500.00	16,438.00
451.3700	Park Maintenance	5,700.00	4,530.73	0.79		
451.3750	Park Maintenance Wages	127,000.00	115,549.95	0.91		
451.5300	Park & Recreation Supplies	900.00	1,197.23	1.33	300.00	1,200.00
451.5350	Park & Recreation Mileage	300.00		0.00		
452.1400	Pool Wages	63,000.00	61,353.28	0.97		
452.2010	Pool Supplies/Maintenance	21,000.00	13,052.51	0.62	-7,000.00	14,000.00
452.3400	Pool Advertising/Miscellaneous	0.00				
452.3500	Pool Concession Income	0.00				
453.0100	Swim Team Contribution	0.00				
453.1010	Recreation Director Salary	47,740.50	44,271.33	0.93		
453.1020	Recreation Administration Wages	19,750.00	18,072.40	0.92		
453.1030	Front Desk/Babysitting Wages	51,500.00	48,490.17	0.94		
453.1040	Preschool Director Wages	33,990.00	28,069.09	0.83		
453.1050	Preschool Teachers Wages	74,270.25	63,467.08	0.85		
453.1060	Programming Wages	59,240.00	53,141.59	0.90		
453.1065	Fitness Personnel Wages	30,060.00	20,736.00	0.69		
453.1070	Janitor Wages	21,630.00	18,594.20	0.86		
453.1080	Assistant Recreation Director(s) Wages	55,000.00	50,601.92	0.92		
453.2000	Staff Supplies/Mileage	1,000.00	1,040.21	1.04	200.00	1,200.00
453.2010	Office Supplies	5,000.00	3,291.53	0.66		

453.2020	Supplies Programs/Arts & Crafts	16,000.00	17,041.42	1.07	3,000.00	19,000.00
453.2021	Cheerleading Expenses & Supplies	3,000.00	3,557.51	1.19	3,600.00	6,600.00
453.2030	Concession Stand Expenses	7,500.00	6,707.48	0.89		
453.2040	Catering Expenses	1,500.00	1,055.99	0.70		
453.2080	Fundraising Expenses	5,000.00	3,726.57	0.75		
453.2090	Repairs & Maintenance	20,000.00	8,782.91	0.44		
453.2100	Facilities Supplies	1,580.00	1,060.37	0.67		
453.2110	Community Hearts	0.00				
453.2120	Grant Expenses	0.00				
453.2600	Activities Equipment	4,600.00	3,976.09	0.86		
453.2610	Preschool Equipment	100.00		0.00		
453.2620	Preschool Supplies & Clothing	2,500.00	1,878.96	0.75		
453.2625	Preschool Training	2,180.00	1,257.24	0.58		
453.2630	Preschool Miscellaneous	100.00		0.00		
453.3100	Legal Services & Charges		219.40	#DIV/0!	219.40	219.40
453.3200	Communication	3,700.00	3,558.43	0.96	1,000.00	4,700.00
453.3210	Postage	2,000.00	1,432.11	0.72		
453.3300	Background Checks	2,000.00	1,890.00	0.95		
453.3400	Advertising/Printing	1,200.00	1,105.37	0.92		
453.3510	Insurance	3,395.00	4,009.00	1.18	700.00	4,095.00
453.3520	Seminars/Association Fees	2,000.00	948.95	0.47		
453.3530	Contract Service Fees	22,000.00	26,474.72	1.20	5,500.00	27,500.00
453.3600	Utilities	70,500.00	47,151.05	0.67	-15,119.40	55,380.60
453.4800	Miscellaneous	100.00	60.00	0.60		
453.4810	Refunds Security Deposits	500.00	60.00	0.12		
453.4820	Bank Charges/Fees	10,000.00	9,126.87	0.91	1,000.00	11,000.00

483.0100	Employee Retirement DBP	32,147.75	32,147.75	1.00		
483.0200	Employee Retirement DCP	1,984.57	3,604.17	1.82	2,000.00	3,984.57
485.0000	PA Unemployment Compensation	9,402.38	6,065.73	0.65		
486.0000	Social Security Taxes	35,964.08	30,578.27	0.85		
486.1560	Employee Benefits	39,845.43	28,959.24	0.73		
486.1590	Pension Life Insurance	869.16	699.21	0.80		
486.3510	Insurance Fire/Liability/Building	30,842.00	31,069.00	1.01	300.00	31,142.00
486.3540	Workmen's Compensation Insurance	17,500.00	13,347.67	0.76		
	TOTALS:	994,227.14	865,328.11	0.87	0.00	

Mr. Salvesen seconded the motion.

Mr. Diacogiannis asked if attention should be given to anything in particular.

Secretary/Treasurer Milo stated no, just normal year-end adjustments.

Mr. Salvesen aye, Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye.

Mr. Nagle moved to authorize the Secretary/Treasurer to pay invoices through December 31, 2008 subject to the approval of the Township Manager.

Mr. Salvesen seconded the motion.

Mr. Salvesen aye, Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye.

Mr. Nagle moved that the Board approve the updated job description for the Road Crew – Fire Fighter as presented by the Township Manager to be effective January 1, 2009.

Mr. Salvesen seconded the motion.

Mr. Salvesen asked what has changed since last revision.

Mr. Finnigan explained each revision.

Mr. Salvesen aye, Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye.

Mr. Nagle moved that the Board approve to adopt Resolution 2008-28, which incorporates the revisions to the Pennsylvania Right-to-Know Law, and to authorize the Chairman and Secretary to sign the Resolution:

**Hanover Township – Northampton County, PA
RESOLUTION 08-28**

WHEREAS, the revised Pennsylvania Right-to-Know Law, known as the Open Records Act, 65 P.S. 66.1 et. seq., requires the appointment of an Open Records Officer for the Township, the posting of certain information and various changes to the Township's Policy Pursuant to the Open Records/Right to Know Law ; and

WHEREAS, the requirements of the revised Pennsylvania Right-to-Know Law, known as the Open Records Act, 65 P.S. 66.1 et. seq., shall become effective January 1, 2009.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Hanover Township, Northampton County, Pennsylvania hereby appoints Stacy C. Milo, as the Open Records Officer and Lori A. Stranzl as Deputy Open Records Officer of Hanover Township, Northampton County; and

BE IT FURTHER RESOLVED that the Board of Supervisors of Hanover Township, Northampton County, Pennsylvania hereby adopts the Open Records Policy attached hereto; and

BE IT FURTHER RESOLVED that Board of Supervisors of Hanover Township, Northampton County, Pennsylvania hereby directs that the Township Secretary post the following information in the Township Office and on the Township Website:

Mr. Salvesen seconded the motion.

Mr. Salvesen asked if there is any involvement with the Colonial Regional Police Department.

Mr. Finnigan and Attorney Broughal explained that the Colonial Regional Police Department is a separate entity; they had their staff trained and will designate their own Open Records Officer and have their own policy.

Mr. Salvesen aye, Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye.

Mr. Nagle moved that the Board approve to adopt Policy 51-1, Policy Pursuant to Pennsylvania Open Records Right-to-Know Law, as presented by the Township Manager and Solicitor:

Policy 51-1
POLICY PURSUANT TO PENNSYLVANIA
OPEN RECORDS/RIGHT-TO-KNOW LAW

The purpose of this policy is to assure compliance with the Pennsylvania Right-to-Know Law, known as the Open Records Act, 65 P.S. 66.1 et. seq., as amended, to provide access to public records of Hanover Township, Northampton County, to preserve the integrity of the Township records, and to minimize the financial impact to the residents of the Township regarding the resources utilized in the receipt and processing of public record requests and the retrieval and copying of public records. It is the Policy of the Township to require the presence of the Open Records Officer when public records are examined and inspected and to charge reasonable fees for duplication of public records in accordance with the following guidelines:

I. OPEN RECORDS OFFICER:

An Open Records Officer for the Township of Hanover, Northampton County shall be the person appointed from time to time by the Board of Supervisors of Hanover Township. The Open Records Officer is responsible for processing requests for records, tracking the progress in responding to the requests and issuing interim and final responses to the requests. Upon receiving a request for a public record, the Open Records Officer is required to note the date of receipt, compute the 5-day response period and create a file for the request, the response and all communications with the requester.

II. REQUESTS:

Public records shall be available for inspection and copying at the Township Municipal Building during normal business hours - Monday through Friday, 8:00 a.m. to 4:00 p.m., with the exception of holidays.

Requests shall be in writing and directed to the Open Records Officer at the Township Municipal Building, 3630 Jacksonville Road, Bethlehem, Pennsylvania 18017, fax (610) 758-9116 and e-mail hanover@hanovertwp-nc.org. Written requests shall be on the form attached hereto as Exhibit "A".

The request may be in person, by mail, electronic mail or facsimile. The request must be specific enough for the Township to determine what records are needed.

III. FEES:

Paper copies will be \$0.25 per page side. If mailing is requested, the cost of postage will be charged. Fax copies will be available at the cost of \$0.25 per page. Specialized documents, i.e. non standard size and color copies, will be provided at actual cost. If a "True and Correct Certification" is requested, an additional charge of \$1.00 will be added. "True and Correct Certification" fees do not include any applicable notary fees. The Township will require prepayment if the total fees are estimated to exceed \$100.

IV. RESPONSE:

The Open Records Officer shall review all written requests for access to public records. As soon as possible, but no later than five business days after receiving a written request to access public records, the Open Records Officer shall respond to all such requests. A letter in the form attached hereto as Exhibit B shall accompany each granted request.

A request is considered denied if, within five business days after submitting a written request, the requester does not: (1) receive a response from the Township to its request: or (2) receive an application from the Township for an additional 30-days to fulfill the request.

The Township may request an additional thirty days to fulfill the request under the following conditions:

1. If it must remove portions of the record that are not public;
2. Retrieve records not stored on site;
3. Obtain legal review of the records requested;
4. It is experiencing a bona fide staffing shortage;
5. The requester has not complied with the municipal policies for record access;
6. The requester has not paid the requested fees.

If additional days are needed, the Township must notify the requester of the delay in writing within the first five business days after receiving the written request for the records. The requester must approve the request for an extension.

The record shall be provided to the requester in the medium requested, if the record exists in that medium. Otherwise, the record shall be provided in the medium in which it exists. If a record is only kept in the electronic form, the Township must make it available in paper upon request. The Township is not required to create a record that does not exist or put a document into a format that does not exist. The Township may remove portions of a document or refuse to supply a record that is not a public record. If a portion of the document is removed, a written denial must be given for the removed portions of the document.

V. DENIAL:

The Township may deny a request if the document is not a public document. The Township must give denials in writing, even if only a portion of the document is denied or removed, in the form attached hereto as Exhibit C.

VI. APPEALS PROCESS:

To appeal a denial of the Township, a requester must file an appeal with the Office of Open Records of the Commonwealth of Pennsylvania within 15 days of the mailing of the Township's response to the request or within 15 days of the deemed denial date. The Appeal should include grounds necessary for asserting that the record requested is a public record and include the Township's grounds for denying or delaying the request. The Office of Open Records may conduct a hearing. The Office of Open Records will issue a written decision, which shall act as a final order. Appeals of the written decision of the Office of Open Records may be taken to the Commonwealth Court within 30 days of the mailing of the decision or deemed denial date.

VII. DEFINITIONS:

A. Public Record: Any record not expressly exempt from public access under the Open Records Act, any other state or federal law or judicial order.

B. Record: Any information, regardless of physical form or characteristics that documents a government agency transaction or activity. The term includes a document, paper, letter, map, Book, Tape, photograph, film or sound recording, information stored or maintained electronically, and a data-processed or image-processed document.

C. Requester: A person who requests a record pursuant to the Open Records Act.

D. Response: Access to a record or the Township's written notice granting, denying or partially granting and partially denying access to a record.

VIII. EFFECTIVE DATE

This policy shall take effect December 9, 2008.

Mr. Salvesen seconded the motion.

Mr. Finnigan explained that we are already ahead of what has been required under current law and will be ahead of the new law.

Mr. Salvesen aye, Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye.

DEVELOPMENTS

Mr. Tanczos noted for the record that the Developer of Traditions of America at Bridle Path Land Development has granted the Board an extension of 93 days from January 26, 2009 to April 29, 2009.

Mr. Tanczos noted for the record that the Developer of Traditions of America at Bridle Path Minor Subdivision has granted the Board an extension of 93 days from January 26, 2009 to April 29, 2009.

COURTESY OF THE FLOOR

It was noted that no one wished to offer any comment.

REPORTS

Mr. Nagle – Road District #1 and #5, Mr. Walbert – Road District #2, Mr. Salvesen – Road District #3, Mr. Tanczos – Road District #4 and Mr. Diacogiannis – Road District #6 had nothing to report.

ENGINEER'S REPORT

Mr. Birdsall had nothing to report.

SOLICITOR REPORT

Mr. Broughal stated he has the Storm Water Sewer Deed of Easement for Northgate I for signature.

Mr. Nagle moved to authorize the Chairman and Secretary to sign the Storm Water Sewer Deed of Easement Agreement for Northgate I.

Mr. Salvesen seconded the motion.

Mr. Salvesen aye, Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye.

PUBLIC WORKS REPORT

Mr. Healy stated that leaf pick-up is done.

MANAGER'S REPORT

Mr. Finnigan suggested that the Board cancel the December 16th meeting for lack of agenda items. Mr. Diacogiannis stated the Board has cancelled the December 16th meeting.

Upon motion of Mr. Nagle, seconded by Mr. Salvesen, the Board approved adjournment of the regular meeting and to enter into an Executive Session at 8:30 P.M.

Mr. Salvesen aye, Mr. Nagle aye, Mr. Tanczos aye, Mr. Walbert aye, Mr. Diacogiannis aye.

Stacy C. Milo
Secretary/Treasurer

