

The regular meeting of the Wheatfield Township Supervisors was held Monday, November 6, 2023 in the Township Building. Barry Schrope called the meeting to order at 7:00 p.m. Present were Barry Schrope, Jim Fuller, Jeff Smith, Lester Nace, Vicki Jenkins, Bruce Warshawsky – Solicitor, Dave Jenkins, Dexter Potter, Amanda Tolbert-Smith, Paul Krieger, Phyllis Krieger, Kurt Hepschmidt, David Mills, Sue Flickinger, Marty Smith, Mary Smith, Ed Comp, Holly Potter, Candi Schrope, Garry Rowe, Scott Shedd, Daniel Welliver, George Green, Leslie Noss, Rich Parrish, Ed Womer, Joshua Schrader, Jeff Beinhower, Edwin Watts, Mary Swope, Brian Swope, Paul Myers, Jerry Myers, Rick Shumaker, Kraig Nace, Roxanne Harpster, Loraine Vogel, Adam Esbenshade, Phil Vogel, Josh George and Paul Wyatt – Perry Cty. Times.

Jeff Smith led the pledge to the American flag followed by a moment of silence.

Barry Schrope announced there was an executive session held with the solicitor from 6:30 p.m. – 6:50 p.m. regarding possible litigation.

The minutes of the October 2, 2023 regular meeting and the September 26, 2023 and October 24, 2023 budget workshops were presented to the supervisors and posted for attendees in the Township Building prior to the November 6, 2023 regular meeting for public viewing. Jeff Smith made a motion to approve the minutes of the September 26, 2023 and the October 24, 2023 budget workshops as presented by the secretary, Jim Fuller second the motion, with all in favor. Barry Schrope stated on pg. 181 on the 14th line of the October 2, 2023 minutes the wording should state paving from the road to parking lot instead of paving from the road to the bridge. Jeff Smith stated he had one thing to add on the last page of the minutes where it states that he said about the rec board bouncing a check and Phyllis Krieger stating the rec board has not bounced a check since she's been on the rec board; Jeff advised he would like to clarify that he did not say that wrong, he may have possibly worded it wrong, but he has the bank records from Member's 1st for the park and the account was overdrawn in October 2022 by \$4,332.88 which was automatically transferred from their savings account to their checking account, although a check may not have been bounced the account was overdrawn. Jeff Smith made a motion to approve the minutes of the regular meeting as presented by the secretary with the change of wording on pg. 181, Barry Schrope second the motion, with all in favor.

Phyllis Krieger asked Jeff Smith which statement he was looking at. Jeff advised the October statement. Jeff stated he also has the rec board minutes from before and after that and it does not show in the minutes where or why the money was transferred.

David Mills stated in spite of everything they are being put through the rec board did not have a meeting last month and they are still as volunteers doing routine maintenance at the park and he does not how long they will be able to continue that. David stated football is finished and they need to clean out the concession stand and the skids left over from their bonfire, later this month the water will need to be drained and turned off, the bleachers stored and the pipes capped off.

Sue Flickinger asked if the rec board has produced their budget to the supervisors. Barry Schrope advised no, not yet.

Kraig Nace of the Duncannon EMS presented and reviewed the updated call numbers report, 2022 cost analysis report and EMS finance report with the supervisors.

Dexter Potter presented the road master report for last month: sealed cracks on Linton Hill, Basin Hill, Craig Run development, McNaughton Drive, Grandview and Pleasant Grove, ordered 2 Glutts Hole Road signs, put up a school bus stop ahead sign that got knocked over on Rt. 274 and had a stop sign stolen at Montebello and Montebello Farm Road and advised he reported it to the State Police and they caught the person and he is in the process of getting the stop sign back, cleaned up downed trees on Windy Hill, Dark Hollow and Cook Road, took the mower off the tractor, put the plow on the big red dump truck, did a speed study on Basin Hill Road and got the black top patches done on Roseglen, Linton Hill and Basin Hill. Jeff Smith asked Dexter how he made out with R.E. Smith's for off road diesel. Dexter advised he did check and they were cheaper and an account has been set up.

There was no representative from the Duncannon Fire Co. at tonight's meeting.

Vicki Jenkins advised Burget and Associates submitted another time extension request for the Sharon Swartz Land Development Plan till February 2024 supervisors meeting. Jim Fuller made the motion to approve the time extension as requested, Jeff Smith second the motion, with all in favor.

A letter of resignation has been received from Rhoda Barrick, Township Auditor, effective October 26, 2023. Jim Fuller made a motion to accept Ms. Barrick's resignation, Jeff Smith second the motion, with all in favor.

Vicki Jenkins stated she received a phone call from Eddie Orris regarding Perry County Crime Stoppers. Mr. Orris advised Perry County Crime Stoppers has disbanded and they will be sending back the townships donation of \$500.

Jim Fuller made a motion to send Carl Hancock of Dellville Road a check for \$25.00 and a letter of appreciation for mowing the cemetery on Dellville Road, Jeff Smith second the motion, with all in favor.

Barry Schrope stated the supervisors have received a letter from the township auditors regarding the special audit of the Recreation Board Wagner Park project. Scott Shedd Chairman, Wheatfield Township Auditors, read the letter aloud (copy on file) stating the auditors agree there should be an audit but will not be able to conduct the special audit as approved by the supervisors at their October meeting due to personal events, health limitations and not being comfortable with the complexity of the investigation. Barry stated he has contacted Bruce Warshawsky and he has given the township the names of 3 CPA firms that specialize in municipal audits. Barry Schrope made a motion to obtain expressions of interest for next month's meeting from outside CPA firms to conduct the audit of the rec board Wagner Park project, Jeff Smith second the motion, Jim Fuller opposed. David Mills asked if they are coming after the rec board or John Weldon Construction. Barry advised they are trying to make the money straight and they are not getting any help from the rec board. David said as a volunteer on the rec board he does not want be brought into this and have to get a lawyer for volunteer work that he has done. Paul Krieger stated 2 paid supervisors were at the meeting where the money was approved for Pavemaster's, and all of the people who voted for it on the rec board are volunteers and volunteers are protected by the state unless they do something unduly wrong and that's not the case. Many people started speaking and talking over one another. Barry stated he did not approve the pavement. Phyllis stated he was at the meeting when it was approved. Paul said 2 supervisors were at the meeting and you're going to hold the unpaid volunteers liable; if there's an issue with the contractor that is understandable but you're going after volunteers. Jim Fuller said to Barry, you better let it go it's going to get into a hassle. Bruce stated he can disclose that a preliminary review of the bank records which the board did not have an easy time getting because of little corroboration from the rec board and that he needed to contact general counsel at Member's 1st to be able to get the records. Bruce said there are irregularities in those documents; those irregularities require an investigation; they involve potential forgery and they involve deviations from policy where multiple signatures are required on checks. Bruce stated no one is doing a witch hunt against volunteers on the rec board, but if there is an individual who has caused a loss to this township by virtue of their actions then it will be discovered and it will be acted upon; and that's the purpose of this investigation. Phyllis stated no one asked her for the records, why did they have to go through the bank why couldn't Barry ask her for the records, she would have given them to him. Paul stated they met with him personally in July about this and try to figure it out and that he could've easily asked anytime then for the records, there was no issue getting the records. Phyllis advised she is resigning as of today from the rec board, whatever is needed she will cooperate, but she does not need this and she or the rec board did nothing wrong; so now you're down a treasurer and a secretary on the rec board. Phyllis stated she has the records here with her tonight and she will be leaving them before she goes out the door. Everybody started speaking again over one another. Barry said if there is cooperation then what did the rec board pay for in blacktopping; no one would answer that. Paul said what Pavemaster's bill was is what they paid. Scott Shedd asked which one, there was 3; and said the invoices had the same invoice number but were not the same and that is why there are the discrepancies and confusion. Phyllis said no, the 3rd invoice was John's invoice and should not have been handed in and the township should go back to Pavemaster's and ask them why they did that. Scott said they are investigating how they got paid and how much they got paid for, it's not a witch hunt, it's an I don't understand how much money came out and why, and he is not qualified to do that and that's why an audit from a CPA should be done. Paul said he understands that, he just does not agree with the lie that there was no cooperation. Scott asked if a budget has been done yet by the rec board, Phyllis said no because they didn't have a meeting. Everybody speaking over one another again. Vicki advised she cannot take minutes this way with everyone speaking. Jim said the supervisors need to move on, Jeff said no, it's not being covered up. Bruce stated to Phyllis that they have reason to believe her signature was forged and asked her if she

wanted to take a look at the check they believe is forged and stated there are also multiple checks, which as treasurer she should know required two signatures and the only signature on at least two checks perhaps more depending on where the investigation goes was the signature of Mr. Weldon. Phyllis stated they were checks she forgot to sign and stated if he would like she could sign them now but she's not sure what happened. Bruce said he does not believe that is an appropriate municipal process. Bruce said to Phyllis again that her signature may be forged if she would like to look at it or she could wait until the CPA firm does their investigation. Phyllis said no she's not looking at it, she will wait. Barry said he has one question then for the rec board, he asked it last month and he'll ask it again this month; what did they pay to have paved. David Mills stated Wagner Park, Barry said okay. Barry said he wants to know for there over \$16,000 what they thought was being paved. The bidding procedure that was not followed was also brought up and Bruce advised that this also is a subject of the audit. Barry stated there was a bid package put out to do paving and a bridge and what happened is the rec board decided to do paving on top of that. The bid package called for a 60' x 60' parking lot, the road down to the parking lot, a handicap spot which is included in the 60' x 60' and a spot for the grill. The rec board decided to pave extra and paid \$16,485 for the paving. Barry stated he and Jeff went and measured all of the black top spots and when he put the numbers to the black top and the only way he could come up with the \$16,000 was to include the parking lot which was included in the bid package. Paul stated the actual measurements were 70' x 70' something and that's part of it and the other part was out towards the road and the square section out in the parking lot; that is what the rec board voted to pay for. Barry said no, in the rec board minutes it says after the bridge project the rec board will pave the parking lot at pavilion 2 and that John's work on bridge includes paving from the bathroom to the bridge and a drive down to parking lot and pavilion 2 and he will also do handicap spot. Phyllis stated to Barry that he needs to go back to John or Pavemaster's. David Mills asked what there supposed to say; that they feel they got ripped off, they got the bridge built, paving taken care of and additions that needed to be done. Barry stated so nobody cares about the double paying. Jim asked how much the rec board ended up paying after John paid the \$4,000 back, \$12,000? Barry went over the measurement drawing with Jim, you paid \$1698 and \$1188.60 for the extra, that's a far cry from \$16,000. Jim stated he and Paul were down and measured everything and figured the square yards and then deducted the 532 square yards that John was to pave. Barry said the walk back to the bridge has nothing to do with the 532 square yards. Jim said according to the bid package John was required to pave 532 square yards, Barry said yes; resurface and tack coat path to bridge and he didn't even tack coat. Jim said why would you tack coat ground; Barry stated it doesn't matter it was in the bid. Jim said the black top that he black topped over was tack coated; Barry said there was no black top going back to the bridge, it was all stoned. Jim said the black top that was paved from Paradise Road back to the gate, the gate back to the snack bar was tack coated. Barry said that would've been the rec boards responsibility, that's what the rec board paid for, that didn't need to be tack coated. Barry said there were 2 paving categories in the bid package, 532 sq. yds. and 512 sq. yds. Jim said so measure up the entire paving and Barry said no you don't measure entire paving; you go by line; resurface tack coat path to bridge. Jim stated the township paid him \$74,000 for the job. Bruce advised the job was specked and if he didn't follow the specs then there may be money that should come back to the township for not using materials or using labor that was not necessary. Jeff said he didn't use the proper materials as it is. Bruce said that is what the CPA firm will figure out. Barry stated the parking lot was to have two different kinds of black top in it and were not even arguing over that; if you want to get technical about what John should've done and what he did do; the black top at pavilion 2 was supposed to be 6" of compacted stone put in and that didn't happen and the answer to that was there was a couple of inches of stone there. Jim asked Barry if he measured it or did he see it. Barry said the bill John gave was for one load of stone. Barry said he's not fighting over this, he just wants the money to be straight; John didn't use tack coat, he was supposed to use 6" of topsoil anywhere there was earth disturbance; he leveled that spot out and put his crane there, did he put topsoil there and seed it, no. Barry said he used the wrong black top, there was supposed to be a top put on, he used one black top for the whole thing, the railing on the bridge is wrong according to the bid package and needless to say the rec board bought the cracker dust to fix up the other side of the bridge. Paul asked who was to okay the whole project and what gets paid for; Barry stated the rec board made the payments that was the problem. Paul said the engineer should have okayed it, Vicki said that is what the bid package said; payments and certified payrolls were to go through the engineer and that didn't happen and advised the

last 2 draws were paid by the rec board. Paul stated the rec board had nothing to say about the railing, black top or the project and he understands where Barry would have an issue with the amount of black top but when they met with him in July, they told him they wanted the honest truth too and not that they were sorry for John. Paul said he hopes the township will have some sense of belief; Phyllis has volunteered her time and she hates it because she has so many other things to do; not making a cent and not giving anything away either; if the job wasn't checked at the end, it has nothing to do with the rec board. Barry stated he checked it at the end and brought it up at a public meeting. Phyllis stated wasn't the job to be checked along the way and if they were not supposed to write checks why didn't Barry say something at the meeting when the Pavemaster's check was approved. Phyllis read from the October minutes and Barry was there and they made a motion to pay Pavemaster's and he was sitting there and didn't say a word. Barry said he did tell them after the meeting they did not put the job out for bid; which he is not blaming anyone on the rec board for that; he's blaming Jim Fuller, Supervisor of 20 plus years, who sits on the rec board and he knew it needed bid. Barry said it was already done and the rec board paid the bill September 28th. Paul stated to Barry he still did not say anything. Jeff Beinhower asked if the check for the extra paving was written to Pavemaster's or John Weldon; Barry advised it was written to Pavemaster's. Jeff asked if they ever get the paving coming to come back out and show what they did for the \$16,000. Barry said the township has a bill and he's not sure which bill you would go by. Vicki advised there are 3 separate bills that are on the same invoice number, same dates, different paving as proposed amounts, different square footage amounts, different price per square foot amounts and different amounts on the bills. Jeff said and nobody ever went back to Pavemaster's. Bruce stated it looks like someone doctored the invoices and these are the things the CPA firm will look at and report back to the board with the results and from there a productive discussion can happen. David said they have a letter dated March 29, 2023 to the rec board from the Auditors stating they have audited the records for 2022 and have found all records to be in order, so that tells him this is not a rec board issue, they are looking at the contractor and he is sick of being dethroned that everything he has done because he is part of problem here and he has done nothing but work for free for the township and this is the thanks they give them; that there throwing township money away. Barry said he just asked for an explanation as to what was paved and nobody would answer. David stated that is because no one on the rec board can answer that and asked doesn't the supervisors have final say. Barry said and that is why they are doing an audit. David states he believes it is Barry's fault that it has gone this far and now he is costing the residents undue legal fees. The conversation went on and on and back and forth. Jim stated he does not think anything was done maliciously but there are those who would like to think it was malicious. Sue Flickinger asked why Mr. Weldon has not been at these meetings and why is he refusing to come to meetings if he is the Chairperson. Jim stated he says, go ahead and do the audit and defame me. Barry said how will it defame him if there is nothing found. Phyllis said he is tire of explaining it over and over. Jim said to Barry, you spend \$30,000 - \$40,000 and who's going to pay for it. Bruce advised a surcharge action could be brought against the person who caused the loss to the township including the cost of the audit. Jim stated that could also be supervisors, and Bruce said yes it could be but not for authorizing the audit; if the audit demonstrates a loss to the township or something which is documentable and is contrary to the law that causes a financial loss to the township, any damages which flow out of that may be surcharged against the individual who was responsible for that. Barry said when all of this started, Phyllis was the only one who would talk with him, he said he tried to show Jim the papers from the beginning with what's going on and to this day he still hasn't asked him to see what he came up with on the blacktop. Jim said that is why they went down on Sunday and measured everything up and figured the square yardage out. Barry said the issue is the double dipping; Paul asked what was the double dipping. Barry said the double dipping is the 60' x 60' parking lot which John Weldon got paid for from the grant money and then the rec board paid for it as well. Jim stated he saw the check to Pavemaster's and John's check to Pavemaster's was \$30,000. The drawing Jim and Paul did and the drawing Barry and Jeff did were compared. There was so much discussion going on and speaking out many times throughout the meeting; which makes the meeting out of control and the minutes impossible, if anyone would like to listen to this meeting the recording will be kept.

Correspondence has been received from Tracy George regarding adding bus stop ahead signs to Dellville Road in the area of Dugas Mill and Pine Hill. Ms. George contact the State and they indicated

the Township would need to send a request in writing to PennDOT requesting permission to install the signs and once approved by PennDOT the township would need to purchase, install and maintain the signs on Dellville Road. Jeff Smith made a motion to send a letter to PennDOT requesting the signs, Jim Fuller second the motion, with all in favor.

Correspondence has been received from Richard Fultz, Perry County Emergency, regarding the 2023/2024 salt request process and request for both PennDOT and PEMA. No action was taken on filling out the form.

Lester Nace stated he received a letter from the attorney representing the client on 849 regarding the water softener issue and the issue has been resolved.

Vicki Jenkins stated she received an email from Jesse Hamilton, Hornungs, and he wanted to know if the township or Wagner Park would be interested in participating with PPL Electric's LED conversion program. No action was taken.

Vicki Jenkins stated she had a phone call from a resident of the township asking why the township does not have a contract with the SPCA for stray cats. Vicki stated she advised her that this has been discussed before and for the cost of the contract and the amount of calls the township receives the supervisors decided against it. The resident asked Vicki to express to the supervisors that she would be grateful if the supervisors would consider doing a contract.

Vicki Jenkins stated in the new convention booklet there was only one change and that was for Jeff Smith's contact number and they did not get it right. The number that is showing is for the Road Master.

Jim Fuller stated recycling on Saturday was busy and he is very thankful for those who came out and helped.

Jim Fuller stated Brenda Watson, County Commissioner, concerning the Montebello stone arch bridge report. Jim stated they are concerned about the bridge and the report indicates an estimated cost of \$20,750 for maintenance and Brenda indicated the county wants to help the township with the bridge, but they can't help the township because the township is not part of the County Comp Plan. Barry Schrope stated the first concern on the report is they want to attach the guard rail to the bridge; so, when someone hits the guard rail it knocks the bridge over. Jeff Smith stated the bridge is not the right height so everything would have to be redone and indicated this concern has been on the report for years. Jim stated he doesn't know what the engineers have in mind, replacing it which he doesn't think the township would want to do. Jim stated he told Brenda he would bring it up but he didn't think there would be too much interest. No action was taken.

Vicki Jenkins asked now that Dexter Potter has done the speed study on Basin Hill Road what did the supervisors want him to do. The supervisors asked Dexter to contact LTAP for a traffic study for a possible speed hump.

Jim Fuller brought up the issue of the no trespassing signs at a residence on Montebello Farm Road that the supervisors discussed last month. Jim stated the township has asked him before about removing all of the no trespassing signs off the township right of way and he has since put two signs right out against the road which the supervisors asked Dexter Potter last meeting to take them down. Jim stated Dexter did not get the constable as recommended, he went out by himself and the brick was removed but not the signs. Jim said he called Dexter and asked why the signs were not taken down and Dexter advised Barry and Jeff said the supervisors could talk about this next meeting; but it's not on the agenda. Barry Schrope advised he had it written down on his agenda to discuss. Barry said why would the supervisors have Dexter do this. Jim stated the recommendation was the workers. Bruce Warshawsky stated he did not tell the supervisors who to use to do it but did agree a constable should be used if the guy is difficult. Jim asked Dexter why he did not get the constable to help him; Dexter advised to save the township some money. Dexter advised he does not have a problem with this resident and that he has always been nice to him. Barry said it was also said that we were going to talk with him again and the one that should do that is Lester because he sent him a letter the last time and it was to get him to remove the signs on the posts. Lester advised the posts were removed back beyond the right of way. Jim said he has moved two signs out and placed them on trees on the right of way. Dave Jenkins asked if the supervisors are going to be willing to enforce all of the signs and fencing on the right of way throughout the township. Dave said it doesn't seem fair to be picking on one person and if so then it should be enforced throughout the township. Jim said no, nobody else has 30 signs a foot and a half apart, we tend to bad actors one on one, we don't penalize everybody because of one bad actor. Jeff

Smith stated they are on trees this time and not posts so how can that be enforced. Bruce stated if the tree is on the right of way they can be removed. Bruce stated as a courtesy the township could speak to the resident, but anybody who puts anything in the township right of way the township has the right to remove it. Jim said he thinks it reflects on the 3 supervisors to allow this, if any of the 3 supervisors were living across the street from this, they would be here at the meeting wondering what the township is going to do about it. Jeff said it would not bother him, if he wants to litter his property with no trespassing signs, it's not something you want to look at, but it's his property. Jim asked the other supervisors if they can get Dexter to get the constable and go out and remove the two signs. Someone stated there are also some cut trees on his property right along the road. Lester Nace asked if anyone has contacted the contractor who took the trees down and ask them when the trees will be removed. Jeff said the trees just showed up there recently. Jim asked Bruce what his recommendation would be; Bruce advised if something is on the township right of way it should be removed. Jeff said he will contact the company that removed the trees and ask him what the plan is for removal. Jim asked if anything could be done about the signs on the right of way. Jeff stated he received a complaint about metal fence posts being on the right of way and asked the other 2 supervisors what their thoughts were on it. Jim asked if he moves his fence back can they get the signs taken down. The supervisors asked Lester to send a letter and ask him to remove the signs.

Herb Stoner of the Juniata Sewage Committee introduced himself and stated if the township is looking for an SEO or an alternate SEO they are looking for new municipalities and presented his fee schedule to the supervisors.

Barry Schrope made a motion to approve the checks from the General Fund for the month of October. They were as follows:

6381 – 6423, 100323, 009-2023, 09-2023, 100623, 164, 165, 0003-2023, 101223A and 101123B
Jeff Smith second the motion, with all in favor.

There being no further business Barry Schrope made a motion to adjourn the meeting, Jeff Smith second the motion, with all in favor. Meeting adjourned at 9:05 p.m.

Respectfully Submitted,

Vicki L. Jenkins
Twp. Secretary