

**MINUTES
BOARD OF COMMISSIONERS' PUBLIC MEETING
JANUARY 17, 2011**

CALL TO ORDER - ROLL CALL - DECLARATION OF QUORUM:

The Penn Township Board of Commissioners met in a regular session on Monday, January 17, 2011 at the Penn Township Municipal Building. President Prieber called the meeting to order at 7:00 P.M., with a roll call of members. Present were Commissioners Prieber, Heilman, Goldsmith, Rewa and Felix. Also present were Solicitor Tilley, Manager Garvick, Police Chief Rhodes, Township Engineer Bortner, Fire Chief Cromer and Zoning Officer Menges

PLEDGE OF ALLEGIANCE TO THE FLAG FOLLOWED BY A PERIOD OF SILENT MEDITATION:

All in attendance stood for the Pledge of Allegiance to the flag, which was followed by a period of silent meditation.

ANNOUNCEMENTS:

President Prieber announced that following the public meeting this evening, the Board of Commissioners would convene in an executive session with the Solicitor for the purpose of discussing legal and/or personnel issues.

APPROVAL OF THE MINUTES FROM THE PREVIOUS MEETING:

The minutes of the December 20, 2010 and December 28, 2010 meetings of the Board of Commissioners were approved as submitted.

PERSONS TO BE HEARD/CITIZENS COMMENTS: None

YORK COUNTY DEPT. OF EMERGENCY SERVICES PRESENTATION:

Eric Bistline, Executive Director of York County Emergency Services, Carl Linquist, Public Information Officer for York County Emergency Service and Ryan Renninger, Deputy Director of the York County Emergency Services were present to discuss the York County radio system and the problems municipalities have been having. Mr. Bistline discussed the interoperability (interop) function of the radio system and how it works with surrounding municipalities and counties. He explained that in 2003 when the radio replacement project began a committee was set up to discuss the implementation and purchase of different types of radio systems. The safety committee felt that they needed to have not only good communications within the county but also with the surrounding counties. He stated, however, that the surrounding counties that established new radio systems did not take into account and he explained the problems this resulted in. He stated that the interop marriage between different systems is difficult because of the frequencies. He stated that the current problems began in early December 2010 with an

accident on Route 15 when the interop merge of the talk groups involved in this accident response caused the system to hang up. He stated that on December 22, 2010 when they tried to interop York County, Adams County, and Carroll County together on a call in West Manheim Township they had the same problem. He stated that the problem occurs when three or more different radio systems are merged together. York County has notified the radio supplier and the software program company about the situation. The computer programmer for the radio supplier has just been able to replicate the problem and send the information to the software company. He stated that emails were sent to all the chiefs in the western part of York County when the problem began. Mr. Bistline stated that a temporary fix to the problems would be to initiate the talk-around feature, which would require activating a manual switch on the radio by the firefighter. This is one of the two solutions suggested until the county gets the software company to fix the problem. The other suggestion is to have the firefighters carry a separate low-band radio as a back up.

Mr. Bistline stated that the new radios were not forced upon the users as there was a committee set up to establish which radios should be purchased. This information was then forwarded to the York County Commissioners for approval. Mr. Bistline stated that it was difficult to get parts for the old analog radio system. In addition, the Federal Communication Commission mandated several years ago that analog systems be replaced with newer digital technology. This is why the old system had to be replaced. At this time there is no estimated schedule for correction of the problem. The problem is not the interop application itself because the system will allow up to 200 interop's or "patches".

Mr. Bistline provided a sheet of statistics regarding calls received by York County 911 in 2010. The report indicated that the radio system now has a total of 24 towers countywide as opposed to the legacy system (old system) which only had 13 countywide. The report also noted that the legacy system reached 75% of the mobiles and 40% of the portables on the street without vehicle repeaters. There were no statistics for portables in buildings without vehicle repeaters for the old system. The new system will cover 99.6% of the mobile radios, 97.6% of the portable radios on the street without vehicle repeaters, and 96.4% in building in defined bounded areas. It noted that the total number of push-to-talks from December 9, 2010 to January 10, 2011 was 2,843,490. The number of users at any given time averaged 182.85. The total number of digital text pages sent in 2010 was 445,000. It was noted by Mr. Bistline that the new tower sites in Hanover and West Manheim have nothing do with the patching problem. These towers were installed to improve coverage for the area due to the number of dropped calls.

Comments and questions from the Board were directed to Mr. Bistline. Mr. Bistline stated that the firefighters needed to be trained on the radio system the same as they are trained for any other equipment. He stated that the radio system couldn't be counted on 100% of the time. Commissioner Heilman stated that the software company needed to be aware that they are dealing with people and that this needs to be fixed immediately. Commissioner Felix discussed the use of "ten" codes along with a letter that had been circulated from Mr. Bistline. This letter stated that York County is not responsible for providing emergency services but rather it is the responsibility of the municipalities. Commissioner Felix noted that on occasions when the 911 system goes down the companies are not being notified of the outage. Mr. Bistline stated both the radio and pager systems have back up systems when the primary system fails. He stated the systems are fully redundant. He stated that there is telephone contact information to notify the stations when the 911 system is down. He stated that they would be installing a

triple redundancy program to make sure that none of the systems are entirely down. Mr. Bistline could not give a guarantee that there would not be any additional problems. The software fix would solve the known patching problems but not the difficulties with the paging system. For the Township to be tied into YC911 it has to use the existing system provided by the county. The only other option would be to create its own radio communication system. Mr. Bistline is not aware if York County has developed a policy for a line of duty injury or death should a communication failure result in the lost of life or other serious problem.

At this point President Prieber turned the discussion over to Township Fire Chief Jan Cromer who stated that he and the fire fighters are appalled at the comments that were made in the York newspaper by Mr. Bistline and County Commissioner Riley. After questioning by Chief Cromer, Mr. Bistline noted that the Committee that recommended the radios consisted of 13 members and none of the fire companies or police departments were asked for input or voted for the new radios prior to the recommendation being sent to the York County Commissioners. Chief Cromer then requested that those individuals involved in the incident of December 22nd explain to the Board what incurred that day. According to the incident commander that day, Ted Clouser (Chief 52), all communication was lost between the responders and YC911. In the end, communications had to be handled by a cell phone. Chief Clouser pulled his firemen out of the building and fought the fire from the outside because they were not sure if the emergency button would work on the radio if the radios did not work. Mr. Bistline stated that the emergency button does work if the radio does not work. Chief Cromer gave a demonstration of the talk around feature and the enabling of the emergency call button on the radio. The demonstration included having someone from the audience attempt to activate the emergency button while wearing the standard issue fire gloves.

Chief Cromer expressed concerned because every time there is a new problem the solution proposed requires training the volunteers. He also stated that as incident commander he would not be able to listen to three different radios at one time and communicate with those involved. This was a solution suggested by Mr. Bistline so that the incident commander would hear all the radio communications during an incident. Chief Cromer had Penn Township Firefighter Erik Brown explain how he contacted 911 to have the supervisor notified that the paging system was down at 11:30 PM in the early part of December and to contact the other emergency agencies about the problem. At that point no one from York County had contacted the fire station to let them know that the system was down. To this date, no one is sure how long the system was down. Chief Cromer then had Jeremy Sparks, Township EMA Director and former YC911 dispatcher, explain the problems he encountered at the agency. Mr. Sparks stated that he expressed all the concerns he had to the agency prior to his leaving and nothing had been done to resolve the problems. Chief Cromer stated that his concern is to send his firefighter's home alive and well.

Dan Brady, 931 East Walnut Street, expressed his frustration with York County and their responses to the situations.

William Butts, 107 Littleton Drive, stated that he is concerned about the fire police responding to situations and not being able to communicate to YC911.

Bernard "Sonny" Eline, Hanover Borough Councilman, questioned Mr. Bistline if there is enough coverage with the new towers. Police Chief Rhodes stated that it coverage now is better than with the old low band radio system but he is still having

problems and with the County's CAD system. Chief Cromer stated that they have better communication but there are still problems in such places as Hanover General Hospital, which had to install an internal antenna for the radios to be useable in the building. Chief Cromer stated his concern is to make sure that the system stays operational. He also noted that some new buildings may have to install internal antennas to be able to use the radio system within their buildings.

Tony Clouser, Penn Township Volunteer Emergency Services, asked if the talk around could be put somewhere else in the radio bank. Mr. Bistline stated that he would have to look into that. Erik Brown, who serves on one of the York County radio committees, stated that it could not be but in the primary bank but would have to be located in another bank.

Terry Smith, Hanover Borough Fire Department, stated that they are receiving many misdirected dispatched calls. As an example, the emergency responders sitting in the audience this evening received a page, but it was also a misdirected call. Mr. Bistline stated that does occur when the person calling YC911 may not know where they are. Also he informed the group that if they have these problems they should file a formal complaint with York County Emergency Services. Mr. Bistline stated that this the only way he knows if there is a problem.

Dave Milliken, Penn Township Firefighter, questioned the history of the equipment because when they received their "new" radios it had other people's names on it. Mr. Bistline stated they should have informed him of that when they received it.

Jason Cromer, Penn Township Deputy Fire Chief, stated that he works in Baltimore County and their radio system is twenty-two years old and it is a better system than the brand new communications system York County is using. He stated that the system has been forced to work the way York County wants it to work. He stated that as an incident commander he is not pleased with the system they have been forced to use.

Loren Reibling, Manheim Township Manager, stated that testing was to be completed on the new towers and reported back to them. He stated he never heard anything and wants to be kept informed. He noted when radios and portables are in the same area they are cancelling each other out. Chief Cromer stated they are still experiencing the same problems.

Susan Kolmer, Manheim Township EMA Director, asked if they would correct the system for more than three users to be patched together because if there was a major incident in the area there could be many organizations involved. Mr. Bistline stated that he believes it will be tested for about 25 users.

Joseph Klunk, former Penn Township Commissioner, expressed concern about the failed systems that York County has installed in the past. He also expressed concern about the pagers, which are hard to read. He wanted to make sure the York County Commissioners know that Hanover, Penn, Manheim and West Manheim are still part of York County.

Michael Brown, 75 Oakhill Drive, expressed concern about the testing of the system prior to implementation. He asked if they were having the same problems in other areas and why would radios that are in close proximity to each other not work. Mr. Bistline explained why radios that are in close proximity to each other may or may not work and that they did not have the problem with the interops until the occurrences on the west side of the county. Also, he stated the interops problem might have been present the entire time but they were just unaware of it. Mr. Bistline also made clarification on the cost of the

project which was \$68 million including the new building.

Ted Clouser, Pleasant Hill Fire Chief, expressed concern about other problems they were having including hearing the radios of helicopters directly overhead. Mr. Bistline stated that some of these problems have been corrected but not all; it would depend on the agency responding. Mr. Bistline also indicated that not every out-of-county responder unit has given their permission to “interop” with the York County system. If these units do not grant permission, then YC911 cannot patch them in with the other units.

Dale Crabbs, Penn Township Volunteer Emergency Service, expressed concern about the new pager system and the difficulty the responders are having using it.

Commissioner Felix thanked the York County Emergency Services representatives for their time at the meeting and for answering the public’s questions.

At this point the meeting was recessed for ten minutes and readjoined at 8:50.

TOWNSHIP REPORTS - STANDING COMMITTEES:

Public Safety Committee - Commissioner Felix: Commissioner Felix had nothing to report.

Personnel Committee - Commissioner Heilman:

Commissioners Heilman/Goldsmith moved to appoint Thomas E. Wheeler to an unexpired term on the Penn Township Civil Service Commission, said term to expire August 2014. They further moved to appoint Gary E. Waltman to a term as an alternate member of the Civil Service Commission, said term to expire January 2017. Motion carried.

Commissioners Heilman/Goldsmith moved to adopt Ordinance No. 719 authorizing intergovernmental cooperation by agreement between Penn Township and Hanover Borough to provide fire chief services. Motion carried on 5-0 roll call vote.

Commissioners Heilman/Felix moved to adopt Ordinance No. 720, amending Ordinance No. 691, which establishes and regulates the firefighter’s pension fund. Motion carried on 5-0 roll call vote.

Commissioners Heilman/Goldsmith moved for the reappointment of Albert D. Sterner to a one-year term on the Penn Township Vacancy Board. Motion carried.

Finance Committee – Commissioner Heilman:

Commissioners Heilman/Goldsmith moved to approve Township warrants in the amount of \$3,280,661.77. Motion carried.

Commissioners Heilman/Goldsmith moved to award the police cruiser bid to Gene Latta Ford, Hanover, PA for a bid price for three vehicles, including trade ins, of \$77,262.44. Motion carried.

Commissioners Heilman/Goldsmith moved to adopt Resolution No. 751 approving the issuance of a Tax and Revenue Anticipation Note. They further moved that the President and Secretary be authorized to execute the appropriate documents. Motion carried.

Public Works Committee – Commissioner Goldsmith:

There were no additions or changes to the Engineer's Report.

Planning & Recreation Committee – Commissioner Felix:

Commissioners Felix/Heilman moved to approve a request dated January 4, 2011 from Burkentine and Sons for a temporary waiver of the sidewalk requirements for a portion of the South West Crossing Plan. Motion carried.

Commissioners Felix/Heilman moved to deny a request from James Quinn for a waiver of the land development requirements at 916 Baltimore Street.

Commissioners Felix/Heilman moved to approve a request dated December 14, 2010 from GHI Engineering for waivers of the Township's Subdivision and Land Development Ordinance for North Point Plaza with the stipulation that the sidewalk waiver is a temporary waiver. Motion carried.

Commissioners Felix/Heilman moved to approve a request dated December 13, 2010 from Site Enhancement Services for a variance to the sign ordinance for the Olive Garden Restaurant at the Gateway Shopping Center. Motion carried.

Commissioners Felix/Heilman moved to deny a request dated January 4, 2011 from Community Aid Thrift Store for a variance to the sign ordinance for their store at the South Hanover Shopping Center. They further moved that the signage for the Thrift Store be as previously approved, at 268 square feet by a request dated June 5, 2009 from McNees Wallace & Nurick representing South Hanover Partners, LP. Motion carried.

Commissioners Felix/Heilman moved to approve a request dated October 19, 2010 from Bohler Engineering for a waiver of the storm water management requirements for Susquehanna bank. Motion carried.

There were no additions or changes to the Zoning Officers Report.

The following subdivision and land development plans were formally filed: None

Commissioners Felix/Heilman moved to approve the following subdivision and land development plans:

P10-15 – North Point Plaza
Motion carried.

Commissioners Felix/Goldsmith moved to approve the following extension requests that will expire on April 18, 2011:

- P03-03 – Bowman Tract Apartment
 - P04-25 – South Heights
 - P04-26 – Stonewicke
 - P06-23 – Brookside Avenue Townhouses
 - P07-27 – Sterling Brown
 - P08-20 – Park Hills Manor
 - P10-12 – York Village Apartments, LCL
- Motion carried.

Health & Sanitation – Commissioner Rewa: Commissioner Rewa had nothing to report.

MANAGERS REPORT: There were no additions/corrections to this report.

OLD BUSINESS: None.

NEW BUSINESS: None.

CITIZEN’S QUESTIONS TO THE BOARD REGARDING DISCUSSION ITEMS: None.

QUESTIONS FROM PRESS: None.

ADJOURNMENT:

There being no further business to come before the Board, Commissioners Rewa/Felix moved for adjournment at approximately 9:03 P.M. Motion carried.

Respectively submitted,

Kristina J. Rodgers
Township Secretary