



# *Pennsylvania State Association of Elected County Officials PSAECO*

## OFFICERS

### President

Terry Adamik  
Adams County Treasurer  
117 Baltimore St., Rm 101  
Gettysburg, PA 17325

### Vice President

Patty Streams-Warman  
Indiana County Recorder  
825 Philadelphia St  
Indiana, PA 15701

### Secretary

Robert P. Green  
York County Controller  
28 East Market St.  
York, PA 17401

### Treasurer

Jeffrey Conner  
Franklin County Coroner  
1497 Loudon Road  
Chambersburg, PA 17202

### Executive Committee

Steve Lukach, Chair  
Judy Moser  
Janet Kalajainen  
Dennis Kwiatkowski  
Mary Jane Dellafiora

### Legislative Committee

Bradley Jacobs, Chair  
Randi Reisinger  
Al Whitcomb

### Solicitor

Jeffrey S. Shank, Esq.  
222 South Market St.  
Suite 201  
Elizabethtown, PA 17022

## MEMBER ASSOCIATIONS

Pennsylvania State Association  
Of County Auditors

County Commissioners  
Association of Pennsylvania

Pennsylvania State Association  
of County Controllers

Pennsylvania State Coroners  
Association

Pennsylvania District Attorneys  
Association

Pennsylvania State Association  
of Jury Commissioners

Pennsylvania State Association of  
Prothonotaries & Clerks of Courts

Pennsylvania Recorders of Deeds  
Association

Register of Wills & Clerks of Orphans'  
Court Association of Pennsylvania

Sheriffs' Association of the  
Commonwealth of Pennsylvania

County Treasurers' Association of the  
Commonwealth of Pennsylvania

## *506th Meeting*

**Thursday ~ October 18<sup>th</sup>, 2012**

## *AGENDA*

**Call to Order:** President Terry Adamik

**Pledge of Allegiance & Invocation:** Vice President Patty Streams Warman

**Approval of Minutes:** Secretary Robb Green

**Treasurer's Report:** Treasurer Jeff Conner

### **Reports:**

Executive Committee Report: Steve Lukach/Judy Moser

Solicitor's Report: Jeff Shank (nothing to report)

Motion to support or oppose specific legislation?

Motion to accept Executive Report:

Legislation Report: Brad Jacobs

Communication Committee Report: Brad Jacobs & Tami Kline, Co-chairs

County Code Committee Report: Al Whitcomb

Budget Committee: Carol Diller

### **Unfinished Business:**

Status update on Jury Commissioner Court Case Appeal

Update on county elected officials recognition research on iCivics.org

### **New Business:**

### **Miscellaneous Business:**

### **Introduce guests**

### **Adjourn**

**Next meeting: November 8<sup>th</sup>, 2012**

**AUDITORS**

~~David M. Hauser~~ *Laura Dickson*  
 Elizabeth Mader  
 John Steele

**COMMISSIONER**

Doug Hill, Ex. Dir. - *Adrienne Hodson*  
 Joe Giles  
 Mark Hamilton

**CONTROLLERS**

*CFH* Carol Fix Diller  
 Alfred L. Whitcomb  
 *Robb* Robert P. Green  
 Shelley Whitcomb, Ex. Dir

**CORONERS**

Dennis Kwiatkowski  
 *JC* Jeffrey Conner  
 Patricia M. Ross

**DISTRICT ATTORNEYS**

Richard Long, Ex. Dir.  
 David Freed

**JURY COMMISSIONERS**

Mary Jane Dellafiora  
 Mimi H. Sack  
 Larry Thompson

**PROTHONOTARIES & CLERK OF COURTS**

Steve Lukach, Chair  
 *TBK* Tami B. Kline  
 Susan M. Kuhar  
 William A. Shaw (A)  
 Mary K. Smithson (A)

**RECORDER OF DEEDS**

*JLK* Janet L. Kalajainen  
 *RK* Randi L. Reisinger  
 *PSW* Patricia Streams-Warman  
 *JJA* Donna Lutz (A)  
 James M. Zugay (A)  
 Nancy Becker (A)

**REGISTER OF WILLS/  
CLERK OF ORPHANS CT**

*Jm* Judy Moser, Chair  
 Larry Medaglia  
 *BCJ* Brad Jacobs  
 Judy Moon (A)  
 Glenda Farner Strasbaugh (A)  
 Wendy Welfley (A)

**SHERIFF'S**

Jack Lotwick  
 *KBW* Robert Wollyung, Ex. Dir.

**TREASURERS**

*TAA* Terry A. Adamik, Chair  
 Sallie Neuin  
 Craig Ebersole  
 Janis Creason (A)  
 Sandy Kirkland (A)  
 John Gross (A)

**PSAECO SOLICITOR**

Jeff Shank, Solicitor

**LOCAL GOVT COMM.**

*Mg* Michael Gasbarre, Ex. Director  
Local Government Commission

**GUESTS/VISTORS LOG ON BACK**

Vistors/Guests

Name

Association

County

*Marianna Hemen Recorder*

*Armstrong*

Corrections to be made



*Pennsylvania State Association of  
Elected County Officials  
PSAECO*

**506th Meeting of PSAECO  
Thursday, October 18, 2012**

**Local Government Commission Office  
Forum Place Building  
Harrisburg**

**OFFICERS**

**President**  
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Adams County Treasurer  
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Mary Jane Dellafiora

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*Pennsylvania Recorders of Deeds  
Association*

*Register of Wills & Clerks of Orphans' Cour  
Association of Pennsylvania*

*Sheriffs' Association of the  
Commonwealth of Pennsylvania*

*County Treasurers' Association of the  
Commonwealth of Pennsylvania*

**Call to order at 10:01 AM: Vice President Patty Streams-Warman**

**Pledge of Allegiance and Invocation: Vice President Patty Streams-Warman**

**Approval of the minutes of our 505th Meeting held on Thursday, September 27, 2012 in the Senate Majority Caucus Room, in the State Capitol, Harrisburg: A motion to approve the minutes was made by Janet Kalajainen, seconded by Randi Reisinger. Motion carried unanimously by voice vote.**

**Treasurers Report: Treasurer Jeff Conner presented the Treasurer's Report for September 1, 2012 through September 30, 2012. Tami Kline, made a motion, seconded by Judy Moser, to approve the Treasurer Report. The motion carried unanimously by voice vote.**

**Executive Committee Report: For each new legislation, Judy Moser read the summary description affecting member associations.**

**Secretary Robb Green mentioned that Attorney Jeff Shank could not attend today's meeting but submitted a report on SB 444. His report was distributed and is attached to these minutes. A round table discussion regarding the shortfalls of the current Small Games of Chance law occurred. Many members felt that this law should be rewritten in its entirety.**

**Local Government Commission Executive Director Mike Gasbarre stated that SB 444 has been presented to Governor Corbett for his signature.**

**Brad Jacobs made a motion, seconded by Janet Kalajainen, accepting the Executive Committee's report. Motion carried unanimously by voice vote.**

**Legislative Report: Brad Jacobs gave the Legislative Report of bills moving,**

**Communication Report:** Tami Kline mentioned that in the Treasurer's office in Columbia County, the 1<sup>st</sup> Deputy Treasurer is leaving and the Chief Clerk wants the Treasurer not to replace her even though that office is responsible for the November election. The County Code states that the Treasurer shall have a 1st Deputy Treasurer.

**County Code Revision Committee:** Judy Moser stated that the next meeting of the committee will be held in December; at that time, the committee will review the progress to date---sections 1 through 12. No November meeting of the County Code Revision Committee will be held.

**Budget Committee:** Carol Fix-Diller reported that progress has been made on the 2013 budget and that it will be voted on at our November annual meeting.

Treasurer Jeff Conner mentioned that the committee is worried about the possibility of losing associations membership in 2013. A discussion occurred regarding our annual legislative appreciation dinner in December. As our dinner costs \$90 to \$100 per person, a discussion occurred regarding increasing per guest charges to \$50 with a member charge of \$25 per person as a way of reducing the meal costs.

Carol Fix-Diller mentioned that we could be losing both the Jury Commissioner and Prothonotary associations in 2013 and we need to control our expenses. Association dues have not increased in five years. Jeff Conner said that we should look into a new venue next year for the appreciation banquet and possibly change the dinner to a luncheon.

At 10:34 AM, President Terry Adamik arrived and assumed control of the meeting.

The discussion continued with the possibility of reducing the appetizers to cheese and fruit trays along with the usual cash bar. Secretary Robb Green read the applicable portions of the contract with the Harrisburg Hilton.

Secretary Robb Green made a motion, seconded by Patti Streams-Warman, to charge our members \$25 per person and their guests charged \$50. Motion carried unanimously by voice vote.

**Unfinished Business:** As no Jury Commissioner representative was in attendance, Judy Moser mentioned that the Supreme Court has accepted their appeal. CCAP is urging counties to eliminate these positions by yearend.

**There was no update on county elected official's recognition research on iCivics.org.**

**Judy Moser mention that when Jim Morgan was our PSEACO solicitor, he was looking into PSAECO's IRS tax status. Jim was two-third's finished with the application for applying for a 501c3 status for our association. President Terry Adamik will contact Jeff Shank to once again look into filing this IRS application.**

**New Business: CCAP Executive Director Doug Hill stated that applications for DCED nominations for awards for 2013 are now available. President Terry Adamik will call to obtain an application.**

**Auditor John Steele read a statement from the Auditors Association regarding CCAP's position on eliminating auditors. This statement was approved at their Annual Conference on September 27, 2012.**

**John Steele reiterated that Pennsylvania Constitution under Article IX Section 4 requires either an elected Controller or Auditor. Smaller counties can opt in but they must consider the cost impact.**

**Local Government Commission Executive Director, Mike Gasbarre, stated that the last day for voting by the legislature was yesterday and that the House will return on November 13<sup>th</sup> and 14<sup>th</sup> and the Senate on November 14<sup>th</sup>. Typically, these are more ceremonial sessions giving the legislators who are leaving an opportunity to have a farewell speech. Also, leadership positions for the next legislative term are elected at this time.**

**President Terry Adamik stated that with the enactment of SB 444 the state needs to change the Small Games of Chance application to have a check off stating that they are eligible for the \$2,500 exemption. Failure to change the application will cause more administrative expenses for the Treasurers.**

**Secretary Robb Green introduced the Adrienne Hodson representing CCAP.**

**Auditor John Steele introduced Laura Dickson, a new representative.**

**Vice President Patty Streams-Warman introduced Marianne Hileman, the Armstrong County Recorder.**

**Tami Kline made a motion, seconded by Judy Moser, to adjourn the meeting at 11:04 AM. The motion carried unanimously by voice vote.**

**Respectfully submitted,**

A handwritten signature in black ink, appearing to read "Robb", with a large, sweeping loop at the beginning and a long horizontal stroke extending to the right.

**Robb Green  
PSAECO, Secretary  
November 1, 2012**



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Sheriffs' Association of the  
Commonwealth of Pennsylvania

County Treasurers' Association of the  
Commonwealth of Pennsylvania

## TREASURER'S REPORT

### September 01 - September 30, 2012

<b><u>Opening Balance – 06/01/2012</u></b>	<b><u>\$ 16,377.71</u></b>
<b><u>Deposits</u></b>	<b><u>NONE</u></b>
<b><u>Interest Credited 09/30/2012</u></b>	<b><u>\$ 0.67</u></b>
<b><u>TOTAL – BALANCE &amp; INCOME</u></b>	<b><u>\$ 16,378.38</u></b>
<b><u>EXPENSES THRU 09/30/2012</u></b>	<b><u>\$ NONE</u></b>
<b><u>CHECKBOOK BALANCE AS OF Sept 30, 2012</u></b>	<b><u>\$ 16,378.38</u></b>

Jeffrey R. Conner – PSAECO Treasurer

9-30-12





- WELCOME
- BILL & SESSION INFORMATION
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Steve Lukach • PSAECO

Tuesday, October 16, 2012 1:27:28p

Session Database:  
2011-2012 Reg ▾

**Psaecc October 2012 (2011-2012 Reg)** *EXECUTIVE REPORT*

> Options: [Add Bills](#) | [Delete Bills](#) | [Tracking Report](#) | [Progress Report](#) | [Vote Report](#) | [Show Tracking Info](#)

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  - Near Governor
  - On Governor's Desk
  - Acts (General)
  - Acts (Appropriations)

View: 1-7 of 7     = Tracked bill

<input checked="" type="checkbox"/>	BILL	Introduced	Last Action	Progress	Status	Scheduled
<input checked="" type="checkbox"/>	<i>Heas</i> HB2638	09/24/2012	09/24/2012	1stH: Comm	HGO	
	Saccone (R39) — An Act amending the act of December 19, 1988 (P.L.1262, No.156), known as the Local Option Small Games of Chance Act, further providing for definitions, for regulations and for club licensee.					
<input checked="" type="checkbox"/>	<i>Heas</i> HB2644	09/26/2012	09/26/2012	1stH: Comm	HGO	
	Miller (R93) — An Act amending the act of December 19, 1988 (P.L.1262, No.156), known as the Local Option Small Games of Chance Act, further providing for licensing of eligible organizations to conduct games of chance.					
<input checked="" type="checkbox"/>	<i>Heas</i> HB2649	10/01/2012	10/01/2012	1stH: Comm	HGO	
	Daley (D49) — An Act amending the act of December 19, 1988 (P.L.1262, No.156), known as the Local Option Small Games of Chance Act, further providing for legislative intent, for definitions, for games of chance permitted, for prize limits, for sales limited, for regulations of department, for licensing of eligible organizations to conduct games of chance, for special permits, for club licensee, for distribution of proceeds, for records, for raffle tickets, for weekly drawings, for revocation of licenses, for enforcement, for certain persons prohibited, for civil penalties and for criminal penalties.					
<input checked="" type="checkbox"/>	<i>Heas</i> HB2651	10/01/2012	10/01/2012	1stH: Comm	HGO	
	Costa, D. (D21) — An Act amending the act of December 19, 1988 (P.L.1262, No.156), known as the Local Option Small Games of Chance Act, in games of chance, further providing for licensing of eligible organizations to conduct games of chance.					
<input checked="" type="checkbox"/>	<i>Heas</i> SB1603	10/01/2012	10/01/2012	1stH: Comm	SGF	
	Alloway (R33) — An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for license costs and fees.					
<input checked="" type="checkbox"/>	<i>Photo</i> SB1609	10/10/2012	10/10/2012	1stH: Comm	SUA	
	Williams, A. (D8) — An Act amending the act of April 6, 1951 (P.L.69, No.20), known as The Landlord and Tenant Act of 1951, further providing for disposition of abandoned personal property.					
<input checked="" type="checkbox"/>	<i>Orphan Court</i> SB1614	10/15/2012	10/15/2012	1stH: Comm	SJU	
	Greenleaf (R12) — An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, in orphans' court divisions, further providing for appointment and purpose and for compensation; and, in incapacitated persons, providing for venue and for confidentiality and disclosure of information; further providing for petition and hearing and independent evaluation; repealing provisions relating to county of appointment and qualifications; further providing for review hearing; providing for affidavit in uncontested termination matters and for counsel; further providing for emergency guardian; repealing provisions relating to provisions similar to other estates; providing for removal and discharge of guardian, for appointment of guardian in conveyance and for bond; further providing for evidence of incapacity, for cross-examination of witnesses and for provisions concerning powers, duties and liabilities; providing for protection of person dealing with guardian; and further providing for when accounting filed, for distributions of income and principal during incapacity and for guardianship services.					

**Gingrich, Smith, Klingensmith & Dolan**

222 South Market Street, Suite 201

P.O. Box 267

Elizabethtown, PA 17022

(717) 367-1370

Jeffrey S. Shank  
Jshank@gskdlaw.com

PSAECO – Notes on SB 444 for October 18, 2012 Meeting

**SB 444 amends the Small Games of Chance law.** Recently, the Senate concurred in House amendments, as amended by the Senate (46-3), and the House concurred in the Senate amendments to House amendments (182-12) and the bill will now go to the Governor.

The bill defines and provides for 50/50 drawings for eligible organizations and for major league baseball, hockey, basketball and soccer to conduct a 50/50 drawing through an affiliated non-profit organization for the purpose of raising funds for charity. Disclosure of the charity to whom the proceeds will be paid is required.

Generally, proceeds from games of chance may now be used for payment of the license fee or the costs for background checks by eligible organizations.

The reporting requirements and background checks of organizations with proceeds of less than \$2,500.00 per year are waived. Certain organizations (nonprofit sports teams and school-sponsored clubs, organizations and sports teams) are not required to conduct 50/50s or a raffle at a licensed premises or to own, lease or establish a licensed premises.

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BILL: 2011-2012 Reg

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Steve Lukach • PSAECO

Tuesday, October 16, 2012 1:39:04p

Session Database:  
2011-2012 Reg

**Legislative Report October 2012 (2011-2012 Reg)**

Options: [Add Bills](#) | [Delete Bills](#) | [Tracking Report](#) | [Progress Report](#) | [Vote Report](#) | [Show Tracking Info](#)

- Bill Tracking Options:**
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  - Priorities
  - Categories
  - Related Bill Finder
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Show only: All bills Sort by: Bill number

View: 1-8 of 8  = Tracked bill

<input checked="" type="checkbox"/>	Bill	Introduced	Last Action	Progress	Status	Scheduled
<input checked="" type="checkbox"/>	HB1324 <i>PASSED HOUSE AND COM. IN SENATE</i>	04/08/2011	10/03/2012	2ndH: Consider	SAP	
	Stevenson (R8) — An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for settlement of small estates on petition and for estates not exceeding \$25,000.					
<input checked="" type="checkbox"/>	HB1617 <i>Act 146 of 2012</i>	06/02/2011	10/08/2012	Pamphlet Law	APP	
	Gillespie (R47) — An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for suspension of operating privilege for failure to respond to citation.					
<input checked="" type="checkbox"/>	HB2400 <i>PASSED HOUSE 1ST CONSID. IN SENATE</i>	05/21/2012	10/15/2012	2ndH: Consider	RREPS	10/16/2012 Senate Calendar
	Marsico (R105) — An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for definitions, for exceptions to prohibition of interception and disclosure of communications, for possession, sale, distribution, manufacture or advertisement of electronic, mechanical or other devices, for issuance of order and effect; providing for target-specific orders; and further providing for emergency hostage and barricade situations, for investigative disclosure or use of contents of wire, electronic or oral communications or derivative evidence, for requirements for governmental access, for cost reimbursement, for mobile tracking devices, for application for an order for use of certain devices and for issuance of an order for use of certain devices.					
<input checked="" type="checkbox"/>	HB2420 <i>1ST CONSID. IN HOUSE COMM.</i>	05/31/2012	10/02/2012	1stH: Consider	LTH	10/16/2012 House Tabled Calendar
	Gingrich (R101) — An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in consolidated county assessment, further providing for exemptions from taxation, for notices, appeals and certification of values and for appeals to court and providing for grantees of real property to register deed with chief assessor.					
<input checked="" type="checkbox"/>	HB2472 <i>1ST CONSID. IN HOUSE COMM.</i>	06/13/2012	10/02/2012	1stH: Consider	LTH	10/16/2012 House Tabled Calendar
	Moul (R91) — An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in consolidated county assessment, further providing for assessment of mobile homes and house trailers.					
<input checked="" type="checkbox"/>	SB444 <i>PASSED HOUSE AND SENATE</i>	02/23/2011	10/15/2012	2ndH: Passed	CONHSH	
	Earl (R49) — An Act amending the act of December 19, 1988 (P.L.1262, No.156), known as the Local Option Small Games of Chance Act, further providing for definitions and for games of chance permitted; providing for major league sports drawing; further providing for registration of manufacturers, regulations and for licensing of eligible organizations to conduct games of chance; providing for applicability; and further providing for distribution of proceeds and for enforcement.					
<input checked="" type="checkbox"/>	SB657 <i>COMM.</i>	02/25/2011	10/15/2012	2ndH: Consider	RTH	10/16/2012 House Calendar

- Other Resources:**
- Search for Bills
  - Legislative Calendar
  - New Legislation
  - Recent Actions
  - Near Governor
  - On Governor's Desk
  - Acts (General)
  - Acts (Appropriations)

*PASSED SENATE  
1ST CONSID. IN  
THE HOUSE*

Ward (R39) — An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in municipal police education and training, further defining "police department" and "police officer"; and further providing for reimbursement of expenses and for payment of certain county costs.

SB1309

10/26/2011

10/04/2012

2ndH: Consider

RTH

10/16/2012 House Calendar

*PASSED SENATE  
1ST CONSID. IN  
THE HOUSE  
COMMITTEE*

Argall (R29) — An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in consolidated county assessment, further providing for appeals by taxing authorities.

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At the September 27<sup>th</sup> PSAECO meeting, after a discussion of the County Commissioners Association of Pennsylvania's new Official Policy Platform resolution advocating abolishing the Office of County Auditor, I informed the Membership that I would report back after the Annual Convention of the Pennsylvania State Association of County Auditors, on the County Auditors response to the CCAP resolution.

At the 50<sup>th</sup> Anniversary Convention of PSACA, the Executive Board and the Legislative Representatives began the process of developing a response before passing any resolutions. I can report to PSAECO on the sense of the Convention.

The County Auditors are a constitutionally mandated Office under Article IX Section 4 of the Pennsylvania Constitution.

County Auditors are elected by the same citizens and in the same way as the County Commissioners, and the County Auditors report to the citizens.

There are already ways, codified in law, to abolish the office of County Auditor if the citizens so choose, or if certain population targets are reached.

Counties are free to hire private firms to perform certain audits now, as my county does, without usurping the mandated functions of the County Auditors.

To fully privatize or outsource the auditing function will increase expenses to the County and the taxpayers and decrease the checks and balances that the taxpayers expect. No elected officials should fully audit themselves when the citizens have a right to choose their own fiscal "watch dogs". In my County (Somerset), over 52,000 registered voters should have a voice in that decision and it should never be left in the hands of just 2 or 3 people.

The Auditors also want to send a message to this Association (PSAECO). Another attempt by one Member Association to abolish another is not only contrary to the stated mission of PSAECO, but can be interpreted as a move to diminish this Association to the point where PSAECO itself could be considered "anachronistic" and "no longer needed".

The County Auditors will follow carefully any further developments in this regard and report back to PSAECO.

Respectfully submitted,

John Steele – Legislative Representative

Pennsylvania State Association of County Auditors

*Copy of Agreement  
for Secretary's records.  
2012  
Legislative Appreciation  
Dinner*



**FUNCTION AGREEMENT**

Date: April 12, 2012 File # LC004558

Organization: PA State Assn of Elected County Officials

Contact: Ms. Janet Kalajainen

Address: Lawrence County Recorder of Deeds  
430 Court Street  
New Castle, PA 16101

Phone: 724-656-2128  
Email: jkalajainen@hotmail.com

Function Date: December 12, 2012

Meeting Name: PA State Association of Elected County Officials

Sales Manager: Kerri Fay

**FUNCTION REQUIREMENTS:**

Date	Start Time	End Time	Description	Setup	Agr	Room Rental
Wed 12/ 12/ 2012	5:00 PM	6:00 PM	Room Ready / Client Access	Rounds	35	
Wed 12/ 12/ 2012	6:00 PM	7:00 PM	Reception		35	
Wed 12/ 12/ 2012	6:00 PM	10:00 PM	Cash Bar		35	
Wed 12/ 12/ 2012	7:00 PM	10:00 PM	Dinner	Rounds of (8)	35	

MEETING ROOM RENTAL IS COMPLIMENTARY.

**Banquet Food & Beverage Attrition:**

Hotel is relying on, and Group agrees to provide, a minimum of \$ 1200.00 in banquet food and beverage revenue. The Hotel will allow 20% shrinkage in expected food and beverage revenue. Should the Group fall below this amount the Group will be responsible for the remaining food & beverage revenue (i.e., the amount necessary to achieve 80% of the total expected food and beverage revenue). Such amount shall be subject to all applicable taxes, which shall be paid by Group. The Hotel and Group agree that the payment described above is a reasonable estimate of the Hotel's damage resulting from the reduced use of the food and beverage facilities.

**Food, Beverage & Audio Visual Policy:**

No one will be permitted to bring food & beverages or audio visual equipment of any kind into the Hilton Harrisburg without its express written permission. Prices for food & beverage will be guaranteed three (3) months prior to your function. Guaranteed attendance for food functions must be provided not less than three (3) business days prior to the event. The hotel agrees to set five percent (5%) above the guarantee. **A service charge of \$45 will apply to all meal functions with fewer than 15 guests.**

**Function & Room Assignments:**

It is agreed by both the Client and the Hotel that this Agreement is for the sole purpose of holding the stated function and Client shall confirm its use of the premises to that stated use. The Hotel reserves the right to immediately terminate this Agreement if, in its sole opinion, the Client uses the premises to conduct a function which differs materially from the stated Agreement.

Initially, function rooms are assigned in accordance with your estimate of the number of persons anticipated. In the event that attendance increases or decreases, the Hilton Harrisburg reserves the right to reassign a group to a function room suitable for your guaranteed count, which is provided three (3) business days prior to the function date.

**Billing:**

**Your account will be presented for final payment at the conclusion of your event. Payment may be made by cash, check or credit card. If you plan to pay by check, our**

One North Second Street, Harrisburg, PA 17101 Phone: 717-233-6000; Fax: 717-233-6830

**cashier will require two (2) forms of identification (driver's license and major credit card). If event is guaranteed with a credit card, the credit card will be preauthorized for the estimated amount of the function three (3) business days prior to arrival.\***

**Deposits and Payment Schedule:**

<i>With the signed agreement</i>	<b>\$500.00</b>
June 12, 2012	\$300.00
September 12, 2012	\$300.00
December 7, 2012	Remainder of Estimated Charges

Any remaining balance will be presented for final payment at the conclusion of your event. Payment may be cash, check or credit-card.

A binding final guest count including entree choices is due no later than three (3) business days prior to your event. Payment in full is due at this time.

**Parking:**

Guests of the Hilton Harrisburg park in the Walnut Street Parking Garage at a reduced rate. Special subsidized rates are listed below:

**Overnight Guests.....\$10.00/Evening - Unlimited Exits\*\***

**Banquet and Meeting Guests.....\$5.00/Exit\*\***

\*\*Parking rates are subject to increases of no more than \$2.00 per year from the date on which this agreement is signed.

**Cancellation Policy:**

Cancellations of bookings place the Hotel in a difficult position to recoup this loss of revenue. The Hotel will endeavor to resell the contracted meeting space and overnight rooms, but reserves the right to assess a cancellation fee for meeting space expected in addition to assessments for food, beverage and overnight rooms left unsold. All cancellations are to be made in writing.

Based on when the booking is cancelled, the following fees will be charged:

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<u># of Months Prior to Arrival Date</u>	<u>% of Total Contracted Revenue</u>
1 year or more out cancelled	No Fee Applied
10 – 12 months out cancelled	25% of Revenue Fee Due
7 - 9 months out cancelled	50% of Revenue Fee Due
4 – 6 months out cancelled	75% of Revenue Fee Due
3 months or less cancelled	100% of Revenue Fee Due

*Out \$1,000.00  
Deposit with  
Agreement on  
4-18-2012*

The total contracted revenue shall consist of the sum of the following amount:

- (a) The minimum amount of banquet food and beverage revenue, set forth in the Food and Beverage Attrition Clause above, multiplied by 80%.

**Exculpation and Indemnification:**

Hotel shall not be liable to Group, it's guests/invitees, or anyone claiming under or through same, and Group waives all rights, remedies and claims for damages, losses, costs and expenses resulting from or arising out of any failure by Hotel to timely provide any rooms, food and/or beverage, and/or other services, if such failure is due, in whole or in part, to any weather condition, act of God, Strike, boycott, lockout, sickout, labor action, riot, act of war, terrorist act or threat, civil commotion, government regulation or order, utility failures, or other cause beyond reasonable control of Hotel.

Group shall indemnify, hold harmless and defend the Hotel, including without limitation Harrisburg Hotel Associations, L.P., a Delaware limited partnership, Harrisburg Hotel Corporation, a Pennsylvania business corporation and all officers, directors, employees, agents and representatives of same, from and against any and all claims, losses, liabilities, damages, costs and expenses, including reasonable attorneys' fees and witness fees, arising out of, resulting from or in connection with any actions or inactions by Group or any of it's guests/invitees resulting in damage, injury or destruction to the Hotel premises and/or to any personal property of Hotel or of others (including other guests/invitees on the Hotel premises) and/or from any breach of this Agreement by Group. All indemnification shall be due and shall be due and payable upon notice by Hotel. Defense shall be prompt and diligent by qualified legal counsel reasonably satisfactory to Hotel.

**General Provisions:**

This Agreement sets forth the entire agreement and understanding between Hotel and Group regarding the subject matter hereof and any and all prior discussions, agreements or understandings are hereby made null and void. There are no representations, promises, covenants or warranties by Hotel, except as expressly set forth herein. This Agreement may not be changed, amended or rescinded, or any rights or remedies hereunder waived,

except in writing signed by the parties hereto, or by the party charged with the waiver in the case of a waiver. This Agreement has been executed and shall be performed in Harrisburg, Pennsylvania and shall be construed and enforced in accordance with Pennsylvania law (excluding conflicts of law). The parties consent to the exclusive jurisdiction and venue of the courts of the Commonwealth of Pennsylvania for Dauphin County and/or the United States District Court for the Middle-District of Pennsylvania for all enforcement and interpretation of this Agreement.

**By signing this agreement, the undersigned acknowledges having read and understood all the terms and provisions and that, by signing I certify that I am the authorized officer of the Organization, You have agreed to being legally bound by this contract.** This is a contract seal and may be enforced under 42 PA.C.S. §5529(B).

Officer Signature: *Janet L. Kalajainen* Date: 4-12-2012

Print Name: Janet L. Kalajainen Title: Executive Board

\*Credit Card #: \_\_\_\_\_ Exp. Date: \_\_\_\_\_

\*Credit Card will be charged in accordance with payment installments as listed in agreement. Final payment is due estimated remaining amount due three (3) business days prior to arrival date.

Hotel Representative: \_\_\_\_\_ Date: \_\_\_\_\_

**File # LC004558**

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