

**PENN TOWNSHIP BOARD OF SUPERVISORS**  
**100 Municipal Building Road**  
**Duncannon, PA 17020-1100**

Henry A. Holman, Jr., Chairman

Charles H. Stoner, Vice Chairman

Robert E. Shaffer, Sr., Supervisor

**MINUTES OF AUGUST 30, 2006**

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The Penn Township Board of Supervisors (PTS) met on Wednesday, August 30, 2006 at 7:00 p.m. in the Municipal Building to conduct their regularly scheduled meeting. Chairman Henry Holman, Jr., Vice-Chairman Charles Stoner, and Supervisor Robert E. Shaffer, Sr. were in attendance. Other personnel present were Helen Klinepeter (Secretary), Susan Long (Treasurer), Rich Wagner (Solicitor, left meeting at 8:30 p.m.), Max Shradley (Engineer, left meeting at 8:30 p.m.), Police Chief Alan Houck, and Joe Smith, Highway Operator. Chairman Holman convened the meeting with the Pledge of Allegiance and a moment of silence. The meeting was recorded to aid in the preparation of the minutes. A list of visitors is on file in the Township Office.

**EMERGENCY MEETING**

Chairman Holman announced that an emergency meeting had been held on August 11, 2006 at 6:00 p.m. to approve the Secretary as Township agent for PEMA reimbursement requests.

**VISITORS**

**Paul Soltis, Emergency Management Coordinator**

Mr. Soltis reported that he would be attending a workshop sponsored by the Buckeye Pipeline on September 13, 2006 and would provide an update at the September 27, 2006 PTS meeting.

Mr. Soltis stated his understanding that fire study meetings were to be held quarterly and urged all parties to continue to meet. He suggested that the PTS schedule a meeting and request that the fire companies send their available representatives. That issue will be discussed later in the meeting.

**John Myers, Duncannon Borough (Borough) Council**

Mr. Myers stated that he noticed the Sam Krick Subdivision Plan was on the agenda as part of the Penn Township Planning Commission (PTPC) report. He noted that the Borough has not yet signed the DEP forms for the subdivision because it is researching the capacity of the sewer lines. The Secretary explained that the Krick subdivision is on the agenda because the developer is requesting a time extension to await the results of that research.

**Jodi Rissinger, Perdix Fire Company (PFC)**

Ms. Rissinger noted that, at the July 26, 2006 PTS meeting, it was decided to postpone any fire study meetings until September. She stated that the PFC has provided a list of available dates to the Secretary.

**MINUTES**

In response to the request for approval of the minutes, there was a Shaffer/Stoner motion to approve the minutes of the July 26, 2006 meeting and the August 24, 2006 Linton Hill Road meeting as presented. Motion passed by unanimous vote of the PTS.

**INVOICES AND EXPENDITURES**

The Treasurer provided the PTS with a list of Invoices and Expenditures for the period July 27 through August 30, 2006 for consideration of approval. A discussion was held on the invoice from Geiger and Loria, which provided stenographer services for a zoning variance request hearing. It was

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questioned why a transcript was needed and why only 50% of the stenographer's fee is passed on to the resident requesting the variance. The Secretary noted that the Zoning Hearing Board (ZHB) requests the transcripts. The Solicitor suggested that the meeting continue while he researched the reimbursement of transcripts and the amount that could be charged back to the applicant.

After due consideration, and upon a Stoner/Shaffer motion, the PTS voted unanimously to approve payment of checks 19085 through 19192 from the PLGIT General Account in the amount of \$77,496.97 and four ACH transfers from the Newport Bank General Account in the amount of \$4,748.76.

**TREASURER REPORT**

Upon a Shaffer/Stoner motion, the PTS voted unanimously to accept the Treasurer's Report for the period July 27 through August 30, 2006, subject to yearly audit.

**HIGHWAY DEPARTMENT REPORT**

The August 2006 Highway Department report was reviewed without comment.

Chairman Holman noted that the six-month probation for Joe Smith is ending and that the subject will be discussed in Executive Session at the end of the meeting. He thanked Mr. Smith for the work that he has done, citing how Mr. Smith saved \$600 in labor charges by installing springs on the Ford F-550 in-house

**Susquenita Hill Road Second Stop Sign**

Mr. Soltis stated that, at a previous meeting, a discussion had been held about failure of motorists to stop at the intersection of Susquenita Hill Road and Schoolhouse Road. He asked if any further consideration was being given to installing a second stop sign on the other side of Schoolhouse Road. The Secretary reported that the PTS would need to either amend the present stop sign ordinance or adopt a new one for that location. Mr. Shaffer offered that installing a second stop sign would be a good investment for safety. After discussion, and upon a Shaffer/Stoner motion, the PTS voted unanimously to have the Secretary prepare an ordinance for advertisement for a second stop sign at the intersection of Susquenita Hill and Schoolhouse Roads.

**Kinsey Road**

Chairman Holman asked if "No Parking" signs had been erected on Kinsey Road. Chief Houck responded that they have been erected and are being enforced.

**PENN TOWNSHIP PLANNING COMMISSION (PTPC) REPORT**

**Sam Krick Final Subdivision Plan, File #2006-05**

The Secretary reported that the PTPC has recommended approval of a 90-day time extension to give the Borough time to research the capacity of the sewer lines. After discussion, and upon a Shaffer/Stoner motion, the PTS voted unanimously to approve a 90-day time extension until November 29, 2006 for the Sam Krick Final Subdivision Plan, File #2006-05.

**Municipal Curative Amendment**

The Secretary reported that the PTPC has recommended that the PTS declare a Municipal Curative Amendment (MCA) to the Zoning Ordinance for Section 1641, *Open Space Development*, because the PTPC feels this section needs amended, and for review and consideration of Planned Residential

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Developments (PRD), as the Zoning Ordinance does not provide for such uses. For discussion purposes, there was a Shaffer/Stoner motion to declare a MCA. The Solicitor explained that the Municipalities Planning Code provides for landowners or townships to declare a need for a MCA and that the purpose of the provision is to allow townships to recognize that zoning ordinances may need significant review and to avoid the necessity of litigation because of that review. He continued that a MCA allows townships to review uses in zoning ordinances which are unavailable or are inadequate. The Solicitor stated that a MCA limits the action that can be taken by the ZHB and PTS. If the PTS votes to declare a MCA, a resolution must be passed at the September 27, 2006 meeting, after which the Township has 150 days to prepare, advertise and adopt a MCA.

The Solicitor stated that the PTPC is recommending two areas for consideration, review of the Open Space section of the Zoning Ordinance, and a proposed PRD section. The Municipalities Planning Code provides for townships to have rules and regulations for PRD that cover more intense developments, as opposed to 1-2 acre lots. Mr. Shaffer asked if, in the interim, all subdivision submission stops. The Solicitor stated that subdivision work is not stopped, but the PTPC must be vigilant concerning issues of the areas involved in the MCA. If a subdivision falls outside of those areas, the PTPC can go forward with its work. The Solicitor informed the PTS that the Municipalities Planning Code lists the restrictions and prohibitions of what can and can not happen. Ed Chism, Chairman of the PTPC, requested that the PTPC be provided with those restrictions and prohibitions. Chairman Holman pointed out that any action that may be taken later in the meeting would not affect any current subdivision submissions or plans that do not require changes in the zoning or involve open space or PRDs. Mr. Stoner asked if the MCA provision was already available. The Solicitor responded that the statute provides that any landowner at any time may request a MCA. Mr. Chism asked that a procedure be put in place so that an applicant would know as soon as possible whether his proposed plan would be put on hold for submission. Mr. Shaffer suggested that the Secretary would need to consult with Mr. Chism when plans are received, and if necessary, seek guidance from the Solicitor.

At this point, Chairman Holman called for a vote to the motion to declare a MCA to the Zoning Ordinance, with the motion passing unanimously. The Solicitor stated that he would prepare the necessary resolution.

### **Subdivision and Land Development Ordinance (SALDO) Review**

The Secretary presented a memorandum from the Engineer to the PTPC, stating that he had reviewed the SALDO and offering comments for the Open Space section of the Zoning Ordinance. The Engineer added that the PTPC had not had a chance to review the comments.

### **ZONING OFFICER (ZO) REPORT**

The ZO Report for August 2006 was reviewed without comment.

### **David Arnold Conditional Use Application**

The Secretary presented a Conditional Use application from Mr. Arnold for Lot #12 of Business Campus One (BCO), along with comments from the PTPC, the ZO and Perry County Planning Commission. She stated that the earliest that a hearing could be held, because of advertising deadlines, is September 20, 2006. When Mr. Stoner asked a question about the number of trucks that would be going in and out of Lot #12, the Solicitor stopped him, explaining that the PTS has been asked to render a decision and that there is a hearing process that must be followed, including the presentation of evidence. After discussion, and upon a Shaffer/Stoner motion, the PTS voted unanimously to schedule a public hearing to discuss the David Arnold Conditional Use application and take public comments on September 21, 2006 at 6:00 p.m. The Secretary will schedule a stenographer to be in attendance at the hearing.

### **Stenographer's Fees and Transcripts**

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In response to a previous question about stenographer's fees, the Solicitor reported that the stenographer's fee is equally shared by the applicant and the Township. If a transcript is ordered by the ZHB, the Township bears the cost; if requested by the applicant, the applicant bears the cost. The Secretary was requested to explain the fees to the ZHB and find out when the ZHB feels that a transcript is necessary.

### **George Shoemaker Zoning Ordinance Variance Request**

The Secretary reported that Mr. Shoemaker is requesting a variance of lot width and private right-of-way (ROW) requirements and that the ZHB has scheduled a hearing for September 14, 2006 at 6:00 p.m. She continued that the PTPC voted unanimously to inform the ZHB that the issue of the private ROW is the jurisdiction of the PTPC and should be addressed in a subdivision and land development plan. The Solicitor offered that, since a hearing has been scheduled, the PTS may not comment on the issue at this time unless it was going to take action for or against the variance request. Mr. Shaffer stated his opinion that the PTS should be in attendance at the hearing to offer thoughts on the request. He offered his concern about the size of the lots and the access to them. Chairman Holman offered his concern about a 30-foot ROW serving two lots. There was a Shaffer/Stoner motion to have Chairman Holman attend the hearing and offer those comments. Motion passed by unanimous vote of the PTS.

### **Noise Level on Linton Hill Road**

The Secretary stated that the ZO had been requested to monitor the noise/decibel level resulting from work on/with a racecar at Yohn's Body Shop on Linton Hill Road. She relayed from the ZO that the cost to monitor the noise level for a 24-hour period was between \$800 and \$1,000. Mr. Shaffer asked if there had been any changes in the noise level, to which Mr. Stoner replied that the level had dropped. Mr. Stoner said that, since there was no way of knowing when the noise was going to occur, he would be in favor of waiting to see if the present level continued. Mr. Shaffer suggested that the PTS acknowledge the improvement in the noise level and encourage continued improvement. After discussion, and upon a Shaffer/Stoner motion, the PTS voted unanimously to have the Secretary send a letter to the resident, acknowledging the improvement in the noise level and requesting that it continue.

### **PRD Ordinance**

The Secretary reported that Rhoads & Sinon had presented draft language for a proposed PRD for inclusion in the current Zoning Ordinance. She stated that Rhoads & Sinon also forwarded copies of a concept plan depicting a potential PRD to be constructed in the Township. Mr. Shaffer asked if the draft PRD ordinance should be forwarded to the PTPC. The Solicitor answered that would be the appropriate response because it was sent as a suggested PRD for consideration. He continued that the PTS's earlier action shows that the PTS is going to take a look at PRDs, and the proposed draft could be considered part of that process. Discussion then occurred on whether the submission was a formal application, in that a \$500 check was included for an escrow fund. When asked why an escrow fee was submitted, the Secretary replied that it was because a text change to the Zoning Ordinance was being requested.

The Solicitor asked if there was an application process that goes with a request for a zoning change. The Secretary responded that there is no set form and that the applicant provides a written request and a sample of the language desired. She continued that the \$500 amount was set in the fee schedule. The Solicitor offered his understanding from the August 21, 2006 PTPC meeting, that no formal application was made. The Secretary replied that she took Rhoads & Sinon's letter to be an application. She said that, based on past practices where text changes to the Zoning Ordinance were requested, she informed Rhoads & Sinon that they would need to forward a request letter, a copy of the language they wanted to change, and an escrow fee.

After reflection, the Solicitor stated that the letter would be assumed to be a petition, and therefore the proposed PRD must be submitted to the PTPC for their review. He explained that, after

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review, the PTPC can either recommend that the PTS hold a hearing to consider the PRD and hear public comments, or recommend that the PTS do not consider the PRD. He continued that, within the next thirty days, if the PTS chooses to hold a hearing, it would set a date, time and location for the hearing. If the PTS chooses not to consider the proposed PRD ordinance, it would declare that intention. After discussion, and upon a Shaffer/Stoner motion, the PTS voted unanimously to refer the proposed PRD ordinance to the PTPC. The Secretary will include in the letter to the PTPC the two actions that the PTPC can take.

### **SEWAGE ENFORCEMENT OFFICER (SEO) REPORT**

The SEO Report for August 2006 was reviewed without comment.

### **PENN TOWNSHIP PARK AND RECREATION BOARD (PTPRB) REPORT**

PTPRB Chairman Jim Renner presented a written report of August improvements to the park and grounds. A discussion was held on Mr. Renner's suggestion for increased parking spaces along Municipal Building Road. Mr. Shaffer suggested that Mr. Renner contact the highway department personnel and Chief Houck for input and then move forward with the project.

Mr. Renner explained that, as an Eagle Scout project, the steps leading up to the pavilion area would be leveled and reset, and the area around the bench overlooking the river would be improved.

The subject of vacancies on the PTPRB was discussed. Volunteers will be solicited in the fall newsletter and teams using the fields will be asked to consider representation on the Board.

### **PENN TOWNSHIP MUNICIPAL AUTHORITY (AUTHORITY) REPORT**

There was no report.

### **SECRETARY REPORT**

#### **PEMA**

The Secretary reported that PEMA will reimburse the Township approximately \$24,000 for repair of damages to Haas Drive. She added that the cleanup expenses for Creek Road and Barnett Drive is part of the \$1,000 deductible required by PEMA.

#### **Fall Cleanup**

The Secretary reported that bids for the fall cleanup were opened on August 28, 2006 at 2:00 p.m. and presented a spreadsheet comparing the quotes. Basing her figures on the amount of materials removed in last year's cleanup, she projected that the price of the cleanup using Sylvester's Services quotes would be \$4,857.40 and the price for York Waste would be \$11,058.70. After discussion, and upon a Shaffer/Stoner motion, the PTS voted unanimously to award the bid for the fall cleanup to Sylvester's Services. The cleanup would be held on October 12-14, 2006.

#### **John Leiter Letter of Credit**

The Secretary reported that John Leiter has requested a reduction in his letter of credit due to the amount of work he has completed to date. After discussion, it was the consensus of the PTS to refer the issue to the Engineer for evaluation.

#### **Recycling Center Signs**

The Secretary reported that the Borough has purchased signs for the recycling center listing the hours of operation and informing the public that dumping is not permitted. She noted that the

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Township's share of the cost was \$162.50 and that the payment to the Borough was approved with the other expenditures earlier in the meeting.

### **Phillip Heller, Fritz Drive**

The Secretary reported that, during the heavy rains in June, part of Mr. Heller's private road washed onto Fritz Drive and she sent him a letter asking to discuss remediation of the situation. She presented his written response dated August 7, 2006. The Solicitor noted that on page two of the letter, Mr. Heller referred to a final order from Judge Quigley and a maintenance agreement for all the users of the private road. He asked the Secretary to request a copy of these documents from Mr. Heller.

The Secretary then noted that Mr. Heller has submitted an appeal to the rescission of his driveway permit and asked the PTS to schedule a date for a hearing. The Solicitor explained that the hearing would be conducted under the Local Agency Law. He stated that the Secretary would offer reasons for revoking the driveway permit, Mr. Heller would offer reasons why he needs the driveway permit, and the PTS would make a final determination. He added that a stenographer would be needed and that it should be advertised for two weeks for all interested parties to attend and offer comments. After discussion, and upon a Shaffer/Stoner motion, the PTS voted unanimously to schedule a hearing to discuss the Heller driveway permit at 6:00 p.m. on September 27, 2006.

### **Citations – Dino's Grille and Citgo Station**

The Secretary reported that the hearings for the citation for Dino's Grille and the Citgo Station have been continued until October 2, 2006 at 10:00 a.m. at the District Judge's office. Mr. Shaffer referred to a letter from Mr. Bratic's contractor that he has been hired to prepare roof plans for Dino's Grille and would forward them to the PTS in the near future. After discussion, and upon a Shaffer/Stoner motion, the PTS voted unanimously to have the Secretary thank Mr. Bratic for the letter and ask him to forward his anticipated schedule of construction of the entire building in time for the September 27, 2006 PTS meeting.

### **Citations – Cocco Development (Dollar General)**

The Secretary reported that Cocco Development has appealed the citation for stormwater management violation and the hearing has been scheduled for September 19, 2006 at 10:00 a.m. at the District Judge's office. After discussion, and upon a Shaffer/Stoner motion, the PTS voted unanimously to have the Secretary, the Engineer, PennDOT representative Jerry Wagner, and Chairman Holman represent the Township at the hearing.

### **Zoning Administration Course**

The Secretary reported that the Perry County Planning Commission would be holding a workshop on zoning administration at the Municipal Building on October 3, 10, and 17, 2006. Mr. Shaffer offered that this would be a valuable workshop and asked the Secretary to encourage attendance by Penn Township ZHB and PTPC representatives.

### **Linton Hill Road Bridge**

The Secretary reported that Pennoni Associates would be performing the annual inspection of the Linton Hill Road bridge on September 14, 2006 at 10:00 a.m. Chairman Holman stated that he would attend that inspection.

## **ENGINEER REPORT**

### **Zoning Revision – Mixed Use Commercial (MUC) District**

The Engineer reported that he had met with the PTPC at their August 21, 2006 meeting to review the proposed Zoning Ordinance revision for the MUC District.

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### **Zoning Revision – Open Space Regulations**

The Engineer reported that he had met with the PTPC in a special meeting on August 28, 2006 to review the proposed Zoning Ordinance revision for open space provisions.

### **Haas Drive**

The Engineer reported that he made a site visit to Haas Drive before this evening's meeting to prepare a sketch for the DEP permit application.

### **Duncannon Fire Company (DFC) Stormwater Issue**

Chairman Holman reported that he has requested that the Engineer be available on September 8, 2006 to meet with Perry Conservation District representatives and himself at the DFC building to discuss a resolution of the stormwater issue.

## **SOLICITOR REPORT**

### **Penn Township Police Department Taser Policy**

The Solicitor reported that he had been forwarded a draft copy of a proposed Taser policy for review. He offered that, since the utilization of Tasers is for law enforcement, he deferred judgment of the policy to the Perry County District Attorney (DA). He suggested that, once the DA is satisfied and training on the use of the Taser has been completed, the policy should be forwarded to the Township's insurance carrier. Mr. Shaffer suggested that training and/or annual certification procedures should be included in the policy. Chief Houck will add that to the policy and present it for further review at the September 27, 2006 PTS meeting. Chief Houck reported that Taser training has been completed by four police officers and added that the DA has reviewed the policy and has provided his comments.

### **Sewer Project Update**

The Secretary reported that phase one notice to connect letters listed a deadline of August 7, 2006. She said that follow-up letters were sent to the residents who did not respond, giving them until August 31, 2006 to connect or ask for time extensions. She asked what she should do if she does not receive a response to the follow-up letter. Mr. Shaffer asked if the follow-up letter contained a copy of the Sewer Connection Ordinance, which specifies the actions for non-compliance. The Secretary responded that copies of the ordinance were enclosed with the letter. The Solicitor asked that he be provided with a copy of the Sewer Connection Ordinance and stated that he will compose a letter under his signature, setting forth penalties for non-compliance and a deadline for response.

## **POLICE REPORT**

The Monthly Police Incident Report was reviewed without comment.

### **Video Conferencing**

Chief Houck reported that all police departments in Perry County are being urged to upgrade their computers to enable video-conferencing for arraignments. He stated that the police department would need to upgrade its software and purchase a camera/microphone. The Solicitor explained that video conferencing would expedite the arraignment process and setting of bail by saving the time required for the on-call District Judge to drive from his house to his office.

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### **Street Survival Seminar**

Chief Houck reported that Officer Rissinger has requested permission to attend a safety seminar on September 6-7, 2006 at a cost of \$195. After discussion, and upon a Shaffer/Stoner motion, the PTS voted unanimously to approve the request for Officer Rissinger to attend the safety seminar.

### **2006 Chevrolet Impala**

Chief Houck reported that the new police vehicle is out of commission due to what he thinks is a bad battery. He stated that he has been in touch with the dealer for resolution of the problem.

### **BUILDING, ZONING, DRIVEWAY, AND SIGN PERMIT REPORT**

The July 2006 Permit Reports were reviewed without comment.

### **CORRESPONDENCE**

#### **Duncannon Fire Police**

The Secretary reported that the Duncannon Fire Police and Perdix Fire Police are working on combining their units in order to provide more services to all areas. She stated that they are requesting donations to restore a utility vehicle and purchase additional equipment. Mr. Shaffer offered that he was supportive of the request but would like additional time to consider the amount to be donated. The Secretary was requested to include this item on the September agenda and to contact Duncannon Borough to see what donation they were considering.

#### **9/11 Recognition Ceremony**

The Secretary reported that the PTS has been invited to send representatives to the Susquenita Middle School on September 11, 2006 at 6:30 p.m. for a 9/11 ceremony at the flagpole. Chief Houck stated that he would attend and Chairman Holman stated that he would attend if he was available.

### **OLD BUSINESS**

#### **Fire Study Meeting**

After discussion, it was the consensus to schedule a fire study meeting on September 12, 2006 at 6:00 p.m. The Secretary will inform the fire companies of the meeting and request them to send any available representatives. Mr. Soltis will be in attendance also.

#### **Linton Hill Road Address Change**

The Secretary reported that Wheatfield Township Supervisor Jim Fuller informed her that the Wheatfield Supervisors would be changing the name of Glutz Hole Road to Linton Hill Road from its intersection with Linton Hill Road to Dellville Road. The Wheatfield Township Supervisors would also be agreeable to renumber only the section of Linton Hill Road from Rt. 274 to Dellville Road. She added that they do not feel that another public meeting is necessary but would like to have a joint meeting with the PTS for an official decision on the renumbering.

Wayne Russell explained that he was not able to attend the public meeting held on August 24, 2006 and that he would be the person in charge of assigning the new numbers. He said that renumbering will need to be done at some point in the future and urged the PTS to not delay the inevitable.

Chairman Holman offered that he felt the residents were promised that another public meeting would be held. He requested that Mr. Russell be present at that meeting to explain to the residents his plans for renumbering Linton Hill Road. The Secretary was requested to contact the Wheatfield Supervisors to coordinate a date for another public meeting to provide an explanation of the process and solicit their comments.

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### **Status of Nuisance Properties**

The Secretary reported that William Sminkey is not complying with the requirement to remove his lawn mowers from the Township ROW along Hill Top Road. She stated that he removes them for a short duration, after which they are back on the ROW. After discussion, and upon a Stoner/Shaffer motion, the PTS voted unanimously to have the Secretary send Mr. Sminkey a letter giving him a seven-day deadline for removal of the lawnmowers and informing him that he will be cited for non-compliance.

A discussion was held on abandoned vehicles on that property. Chief Houck explained that vehicles are abandoned throughout the Township and, due to limited manpower, are not regulated unless complaints are received.

The Secretary reported that the Colon property at the intersection of Pee Wee Lane and Rt. 274 is in the process of being demolished, after which an office building will be constructed on the site.

### **Friendly Drive and Rt. 274**

The Secretary noted that the Perry County Economic Development Corporation (PCEDC) had sent notice that they would be starting a survey of the intersection of Friendly Drive and Rt. 274 for future widening of the intersection. Mr. Shaffer requested the Secretary contact PCEDC to find out the scope of the entire project and whether it includes Rt. 274 from the intersection with Friendly Drive to the intersection of S. Main Street, and to ask them to keep the PTS informed of the project status.

### **Fire Blocker Insulation**

Mr. Shaffer referred to a notice from the Commonwealth of PA concerning a type of spray foam insulation. The Secretary reported that the Township's UCC Inspector recommends that the material not be used in the Township because it is flammable. Discussion was held on whether the Township should put information in the building permit application concerning this insulation, with Mr. Shaffer offering his opinion that this falls under the jurisdiction of the UCC Inspector and the PTS should not get involved. After discussion, and upon a Shaffer/Stoner motion, the PTS voted unanimously to follow the recommendation of the UCC Inspector to disallow the use of this spray foam insulation.

### **Workmen's Compensation Claims**

Mr. Shaffer referred to a warning letter from MRM Trust stating that the PTS's claim record would be reviewed again in another year, and if there is not an improvement in the claims record, membership may be terminated. The Secretary explained that the majority of the claims are the result of the accident involving the Township employee who was performing roadside mowing. Mr. Shaffer offered his opinion that the letter had a threatening tone and requested the Secretary to contact MRM and ask what the implications of the letter are and what steps the PTS can take.

## **NEW BUSINESS**

### **Fall Newsletter**

The Secretary asked the PTS to provide their comments concerning the draft Fall Newsletter by September 9, 2006. She continued that she expected that the newsletter would be mailed out by the last week of September.

### **Shermans Creek Petition**

The Secretary reported that Brenda Benner, secretary to Senator Corman, has stated that a petition to designate Shermans Creek as an "exceptional value" creek will be considered at the September 19, 2006 meeting of the Environmental Quality Board (EQB). She continued that, if the EQB approves the petition, it may impact on what can be discharged into the creek. Mr.

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Shaffer offered concern on the timeliness of the notice, on the lack of public dissemination of information, and on the impact this could have on residents along Shermans Creek. He also expressed concern that the PTS does not have the resources to inform the public of the hearing on such short notice. The Secretary was requested to contact Ms. Benner and inform her of the PTS's concern over the lack of dissemination of information about this topic and ask what impact it would have on Township residents.

### **EXECUTIVE SESSION**

At 9:15 p.m. the PTS entered into executive session to discuss personnel issues. At 10:05 the executive session ended and the meeting reconvened.

### **Chief of Police**

There was a Shaffer/Stoner motion to change the status of Alan Houck from Acting Chief of Police to Chief of Police. Motion passed by unanimous vote of the PTS.

### **Joe Smith**

Chairman Holman reported that Joe Smith has ended probation and has obtained his CDL license. There was a Shaffer/Stoner motion to make Joe Smith a permanent employee and to grant him a \$1.00 per hour raise, effective the next payroll period. Motion passed by unanimous vote of the PTS.

### **ADJOURNMENT**

With no further business to be conducted, and upon a Shaffer/Stoner motion, the PTS voted to adjourn at 10:08 p.m.

Respectfully Submitted,  
Susan E. Long