

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

Henry A. Holman, Jr., Chairman

Randy Plummer, Vice-Chairman

Lucinda (CeCe) Novinger, Supervisor

MINUTES OF JANUARY 30, 2008

Page 1 of 8

The Penn Township Board of Supervisors (PTS) met on Wednesday, January 30, 2008 at 7:00 p.m. in the Municipal Building. Chairman Henry Holman, Jr., Vice-Chairman Randy Plummer, and Supervisor CeCe Novinger were in attendance. Other personnel present were Helen Klinepeter (Secretary), Susan Long (Treasurer), Rich Wagner (Solicitor), Max Shradley (Engineer), and Police Officer Aaron Richards. The meeting was recorded to aid in the preparation of the minutes. A list of visitors is on file in the Township office.

PRESENTATION BY WINDSOR CORPORATION
Creigh Reyhenkamp, Penn 1155 LLC (Penn 1155)
John Murphy, Alpha Engineering

The Solicitor informed the audience that Penn 1155 had requested 30 minutes to present information about the proposed Preserves at Mountainside East and West development. He stated that the purpose of the presentation was to address issues that might have been omitted in the past. He stressed that there was no intent on the part of the PTS to take any type of action on the development this evening and added that, at some time in the future, the PTS will schedule a meeting to solicit public comments.

Mr. Reyhenkamp stated that Penn 1155 was concerned about the impression that it made in the past and that it would like to start off on a better foot. He explained that Penn 1155 held a public meeting at the Perdix Fire House in 2006. As a result of that meeting a concept plan was put together and shared at a meeting in the Susquenita High School in September 2006. Penn 1155 learned a lot at the meetings about residents' concerns over sewer, water, and traffic issues as well as the capability of the schools to handle increased enrollment. At a later meeting with the Superintendent of Susquenita and its demographic people, Penn 1155 learned that there was capacity in the schools and that the \$3.8 million that would be generated would be welcome revenue. In addition, the district indicated it would be interested in some of the open space for a cross-country track. Mr. Reyhenkamp relayed that, in the end, the school board had a unanimous vote at a meeting generally in support of the development going forward.

At the end of 2006, Penn 1155 was referred to the Penn Township Planning Commission (PTPC), which at that time was working on two other ordinances and did not spend time on the "Planned Residential Development" ordinance proposed by Penn 1155 for this tract. At that point, Penn 1155 got defensive and said and did things that it is now sorry for. Penn 1155 sees the benefit of the tracts of land and is now at the point that it wants to work with the PTS.

Mr. Murphy stated that he had just gotten involved in the project three weeks ago, but feels that his experience and expertise can help bring about a project that will be a real attribute to the community. He explained that he is in favor of "clustering" the residences as it will leave 80% of the 1155 acres in open tracts. He explained that the project includes 949 residential units, both single and multi-family. He offered that, because of the large increase in housing units, it is good to have a mix of housing types. He stressed that the clustering concept is important to keep the access points toward Harrisburg, since most commuter traffic will flow in that direction. With the proposed access points, the open space can be a Township asset.

Mr. Murphy stated he felt the clustering concept is a good starting point, but much work remains to be done. He noted that traffic volume will be a big issue, as will sewer, water, fire protection, and public safety issues. He stated that Penn 1155 must deal with the issue of steep slopes as it does not want to be environmentally insensitive and increase runoff.

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

Henry A. Holman, Jr., Chairman

Randy Plummer, Vice-Chairman

Lucinda (CeCe) Novinger, Supervisor

MINUTES OF JANUARY 30, 2008

Page 2 of 8

Mr. Murphy reiterated that Penn 1155 feels an apology is appropriate, as comments were made in the past that set the project back. Penn 1155 now needs to take the concept and work with the staff, PTPC, and residents to bring the plan to fruition.

Mr. Reyhenkamp stated that Penn 1155 would now like to start discussions, whether through public meetings, the PTPC, or volunteers. The Solicitor suggested to the PTS that it could direct the discussions through its Engineer and Code Enforcement staff, or hold a public meeting to let the citizens see what is going on. He cautioned that it would be impossible to hold one meeting and have every comment entertained and every question answered. He suggested that the PTS set aside 1 ½ hours for people to begin to ask questions and get answers. He stated that he is aware of Penn 1155's request for a zoning variance and asked if the public meeting would be held during the same time frame. He explained that the zoning hearing will require the Township to cast a position while public dialogue will not require a position. Mr. Reyhenkamp offered that, if the Township is willing to grant continuances, Penn 1155 will ask for them.

Chairman Holman asked Mr. Reyhenkamp to forward suitable dates for a public meeting to the Township. The Solicitor asked Mr. Reyhenkamp to also forward in writing if Penn 1155 wanted to put any zoning challenges on hold.

VISITORS

Dr. Dan Sheats, Superintendent, Susquehanna School District (District)

Dr. Sheats opened by acknowledging the cooperation given to the District by the Penn Township Police Department and commending Police Chief Alan Houck. He then presented information and a proposal for a joint grant entitled, "School Resource Officer" (SRO).

Dr. Sheats explained that the SRO program puts a Township police officer in the District – 75% of the officer's time would be committed to District business during the hours that school is open, and that Township approval is necessary to implement the program. He stated that the District is looking for a three-year commitment and would apply for a grant from the PA Commission of Crime and Delinquency. During the first year, the grant would pay for 75% of the officer's salary and benefits, with the remaining 25% of the expense shared equally between the District and PTS. In the second year, the grant would pay for 50% of the officer's salary and benefits, with the remaining 50% of the expense shared equally between the District and PTS. In the third year, the grant would pay for 25% of the officer's salary and benefits, with the remaining 75% of the expense shared equally between the District and PTS.

Dr. Sheats stated that the District would take full responsibility to apply for the grant and estimated that it would take about ten months to prepare the application. He asked the PTS to review the informational packet presented to them and to respond back to the District within sixty days whether or not it is interested in a partnership.

Henry Holman, III

Mr. Holman informed the PTS that the Penn Township Municipal Authority (Authority) and the Duncannon Borough (Borough) Municipal Authority are continuing to work on the Inter-Municipal Agreement. He stated that the chairman of the Borough Authority was also in attendance to show support that negotiations are progressing. He ended by saying that both parties expected an agreement by the end of February. The Borough's chairman then verified that negotiations were continuing.

MINUTES OF JANUARY 30, 2008

Page 3 of 8

Byron Worner, Duncannon Fire Company (DFC)

Mr. Worner was present to discuss the status of the Township's role in traffic control and response to downed trees on wires. Chairman Holman responded that he had talked to officials at County Dispatch, who stated that they would still refer the calls to DFC for liability purposes. He informed Mr. Worner that the Township was responding to as many calls as possible for tree removal and traffic control and will continue to work in that direction. He reiterated that the County was reluctant to stop placing calls to DFC. Mr. Worner asked exactly what County officials told Mr. Holman. Mr. Holman responded that County said it would continue to call DFC at the present time. Mr. Worner stated that, at County meetings, he was told that County procedure was to notify the Township first, but that policy was skipped over since County knows that DFC is available to respond. He said he will not ask County to change procedure until Chairman Holman talks to them. He stated that DFC will continue to respond as it has been doing.

Mr. Worner then asked if thought had been given to tentative dates for public discussion on funding for the fire departments. Chairman Holman responded that the subject has been on the back burner for several months and stated that he feels the residents need to know where and how their tax money is spent. He stressed that funding would be done through a fire tax collected by the tax collector, and not as an attachment to the real estate tax. He suggested the meeting be held after the end of winter weather, a time frame of March or April.

Robert E. Shaffer, Sr.

Mr. Shaffer noted that, when he was first elected as a supervisor fifteen years ago, he pushed for the creation of a comprehensive plan. He suggested that the PTS consider updating it, since it is the roadmap for dealing with infrastructure and community needs. He referred the PTS to the Municipalities Planning Code, Act 247.

Mr. Shaffer encouraged the PTS to keep its website current, noting that there are no minutes of PTPC meetings for 2007 and no minutes for PTS meetings after July 2007.

Mr. Shaffer then stated that he had time available and was willing to volunteer for committee work on environmental and planning issues.

MINUTES

Upon a Plummer/Holman motion, the PTS voted to approve the minutes of the December 26, 2007 meeting as presented. Ms. Novinger abstained since she was not a supervisor until after that time. Upon a Plummer/Novinger motion, the PTS voted unanimously to approve the minutes of the January 7, 2008 meeting as presented.

INVOICES AND EXPENDITURES

The Treasurer provided the PTS with a list of Invoices and Expenditures for the period January 1 through January 31 for approval. After due consideration, and upon a Plummer/Novinger motion, the PTS voted to approve payment of checks 20703 through 20788 from the PLGIT General Account in the amount of \$44,380.30 and seven ACH transfers from the Newport Bank General Account in the amount of \$5,662.28.

TREASURER REPORT

Upon a Novinger/Plummer motion, the PTS voted unanimously to accept the Treasurer's Report for the period January 1 through January 31, 2008, subject to yearly audit.

HIGHWAY DEPARTMENT REPORT

The January 2008 Highway Department report was reviewed.

Fall Cleanup Damages

MINUTES OF JANUARY 30, 2008

Page 4 of 8

Quotes were presented from three auto body shops for repair to a vehicle owned by Dave Clark and damaged during the recent fall cleanup. After discussion, and upon a Holman/Plummer motion, the PTS voted unanimously to pay Mr. Clark the amount of \$510.33, the lowest bid received from Sutliff Chevrolet.

Chip and Seal Coat Bids

After discussion, and upon a Novinger/Holman motion, the PTS voted unanimously to advertise for bids for 5,607 square yards of chipping and seal coating of Township roads.

PENN TOWNSHIP PLANNING COMMISSION (PTPC) REPORT

Charles Stoner Preliminary Subdivision Plan, File #2007-05

The Secretary presented a letter from the PTPC recommending approval of the above-mentioned plan, subject to seven contingencies being completed. Jim Hockenberry, Mr. Stoner's engineer, reported that two of the contingencies have been completed for the preliminary plan, with the remainder needed for the final plan. The Engineer reviewed the remaining five issues needed for final plan approval. He added an additional issue that the required 100' leveling area with a slope between 2% and 4% at the intersection of Twin Oaks Drive and Linton Hill Road needs to be addressed before approval of the Final Subdivision and Land Development Plan. After discussion, and upon a Holman/Plummer motion, the PTS voted unanimously to approve the Charles Stoner Preliminary Subdivision Plan, File #2007-05, contingent upon the payment of all fees and the remaining six items being addressed before approval of the Final Subdivision and Land Development Plan.

Mr. Stoner asked what was required for the water feasibility study, stating that there were two possible scenarios. The first involves checking the surrounding wells, while the second requires a draw-down of three wells. He questioned the number of lots above which the second scenario would be required. Chairman Holman offered his understanding that a feasibility study was necessary with ten lots. He stated that he was not sure what number of lots required a draw-down and suggested that the PTPC would have to research the issue. The Engineer offered his opinion that ten lots or greater require a draw-down. The Solicitor referred the Engineer to Section 4.08 of the Subdivision and Land Development ordinance for further clarification. The Engineer will review it and contact Mr. Hockenberry.

Highway Department Review of Plans

The Secretary reported that the PTPC has suggested that the highway department review all plans regarding sight distances of driveways and proposed roads that would abut Township roads. In addition, it was suggested that the highway department review plans for potential problems with stormwater runoff from driveways and proposed roads. Chairman Holman responded that the highway department has already started this review process. The Engineer clarified that the highway department would report back to the PTPC, with the information used as part of the review process.

Zoning Ordinance Change for Mixed Use Commerce (MUC) District

The Secretary presented the proposed changes to the zoning ordinance for the MUC District for PTS review. Chairman Holman noted that the PTPC has been working very hard on the proposed changes. He asked the other supervisors to review the proposed changes and offer comments back to the PTPC, before the changes are forwarded to the Perry County Planning Commission. The Solicitor reminded the PTS that a public hearing would be needed before adopting the changes.

ZONING OFFICER (ZO) REPORT

The January 2008 ZO Report was reviewed without comment.

Grey Berrier Zoning Hearing Board (ZHB) Appeal

MINUTES OF JANUARY 30, 2008

Page 5 of 8

The Secretary reported that a hearing has been set for 1:30 p.m. on February 19, 2008 for submission of evidence for the Grey Berrier ZHB appeal. She also presented, for PTS information, a motion from the ZHB for reconsideration of the Court of Common Pleas Order dated January 2, 2008.

SEWAGE ENFORCEMENT OFFICER (SEO) REPORT

The January 2008 SEO Report was reviewed without comment.

Eagle's Nest Retaining Tank Cleaning Contract

The Secretary presented a cleaning contract for a portable toilet at Eagle's Nest for approval. During discussion, it was decided that a security deposit would not be required for the portable toilet. After discussion there was a Plummer/Novinger motion to accept the Eagle's Nest Retaining Tank Cleaning Contract. Motion passed by unanimous vote.

Susquenita Area Soccer Youth (SASY) Retaining Tank Cleaning Contract

The Secretary presented a cleaning contract for a holding tank for SASY and explained that SASY is currently using portable toilets on its soccer fields. Dale Moyer reported that SASY does not yet have enough money to construct bathrooms, but that he anticipated future installation of a well that would permit directing water from their sinks into a holding tank. He stated that it would cost \$20,000 for installation of an on-lot septic system, which is why SASY worked with DEP and the SEO for permission to install a holding tank. Mr. Moyer asked if the PTS would waive the security deposit for the holding tank, with Chairman Holman responding that the PTS feels an escrow account is necessary. He added that it would also be necessary for SASY to renew the contract every two years. After discussion, and upon a Plummer/Novinger motion, the PTS voted unanimously to accept the SASY Retaining Tank Cleaning Contract, to require an escrow account in the amount of \$200, and to require a renewal of the contract every two years.

Daniel McDade Hearing for 104 Firehouse Road

The Secretary reported that the hearing on the illegal discharge of sewage on the McDade property would be held at the District Judge's office on February 12, 2008 at 2:00 p.m.

PENN TOWNSHIP PARK AND RECREATION BOARD (PTPRB) REPORT

The PTPRB Report for January 2008 was reviewed without comment. Chairman Holman thanked PTPRB Chairman Jim Renner for all the time he spends working for the benefit of the Township.

PENN TOWNSHIP MUNICIPAL AUTHORITY (AUTHORITY)

Lee Wright reported that the Authority is working with the Borough Sewer Authority on the Inter-Municipal Agreement. Chairman Holman asked that the final copy be forwarded to the Township's Solicitor for his review before the PTS reviews the agreement.

SECRETARY REPORT

Business Campus Way Street Light

The Secretary reported that Stanley Mutzabaugh has returned the agreement between Mutzabaugh's Market and the PTS detailing the ownership and maintenance of the street light on Business Campus Way. She explained that Mr. Mutzabaugh has suggested some changes to the agreement, changes that have been forwarded to the Solicitor for his review. Discussion was tabled until the February PTS meeting.

Resignation of Elected Auditor

The Secretary presented a letter of resignation from Margaret Raub for her position as elected auditor. After discussion, and upon a Novinger/Plummer motion, the PTS voted to appoint Sharon Graff to the position of Elected Auditor.

MINUTES OF JANUARY 30, 2008

Page 6 of 8

Driveway Ordinance Amendment

The Secretary presented a draft amendment to the Driveway Ordinance, requiring a permit for paving of driveways. After discussion, and upon a Novinger/Plummer motion, the PTS voted unanimously to advertise the amendment to the driveway ordinance.

Fee Schedule Resolution, #2008-02

The Secretary reported that the 2008 Fee Schedule Resolution has been advertised, with the changes for driveway inspections and sewage enforcement fees incorporated into the schedule. After discussion, and upon a Novinger/Plummer motion the PTS voted unanimously to adopt the 2008 Fee Schedule as presented.

ENGINEER REPORT

Sheetz Car Wash

The Engineer reported that he had provided comments to Sheetz's design engineer concerning Sheetz's proposed solution to the stormwater problem and did not receive a response. He then faxed the comments directly to Sheetz and requested them to send him a status update.

Duncannon Family Medical Center (FMR) Financial Security

The Engineer reported that he performed a site inspection and reviewed documentation for a reduction to the financial security required for the Duncannon FMR. He suggested that \$9,000 would be adequate to cover the remaining costs for seeding, mulching, and site clean-up. After discussion, and upon a Plummer/Novinger motion, the PTS voted unanimously to accept the Engineer's recommendation and set the financial security for the Duncannon FMR at \$9,000.

SOLICITOR REPORT

There was no Solicitor Report.

POLICE REPORT

The Monthly and 2007 Year-End Police Incident Reports were reviewed without comment.

Insurance Company Request

The Secretary reported that she forwarded a copy of the Police SOP to the Township's insurance agent for her review. She stated that the insurance company would like the SOP amended to include procedures for treatment of prisoners and serving of warrants. After discussion, it was the consensus to include these procedures in the police SOP.

BUILDING, ZONING, DRIVEWAY, AND SIGN PERMIT REPORT

The December 2007 Permit reports were reviewed without comment.

CORRESPONDENCE

State Pest Control

The Secretary reported that Orkin was awarded the PA pest control contract and as members of Costar, the Township can take advantage of the pricing guidelines.

North Middleton Township

The Secretary presented an invitation from North Middleton Township to a meeting on February 13, 2008 regarding alternatives available with respect to the collection of the Earned Income Tax. The Treasurer reported that she will be unable to attend the meeting, but would keep the PTS informed of any developments regarding the Capital Tax Collection Bureau and the audit of its collection procedures.

MINUTES OF JANUARY 30, 2008

Page 7 of 8

Donald Carpenter

The Secretary presented a written request from Donald Carpenter asking that the PTS establish a Task Force of representatives from Penn and Wheatfield Townships and Duncannon Borough to investigate the possibility of consolidating services. Chairman Holman will review the request.

OLD BUSINESS

Perdix Sewer Connections

The Secretary provided an updated spreadsheet listing forty-two properties remaining to be connected to the sanitary sewer.

Personnel Manual

The Secretary reported that, at the January 7, 2008 meeting, the PTS presented a draft revision to sick and vacation leave for full-time employees for review. After discussion, and upon a Novinger/Plummer motion, the PTS voted unanimously to approve the leave changes and incorporate them into the personnel manual.

NEW BUSINESS

Spring Newsletter

The Secretary reported that she will provide the PTS with a draft copy of the spring newsletter by the weekend. She asked them to provide any comments by the end of the following week so that the final version can be delivered to the printers at that time.

FEMA Floodplain Meeting

The Secretary reported on the previous night's meeting with FEMA concerning the revised floodplain mapping. She informed the PTS that one hundred eighty days before the effective date of the mapping the Township will get a letter informing the PTS of the need to update the Floodplain Ordinance. If the ordinance is not updated, the Township will no longer be in the National Floodplain Insurance Program, no mortgages will be granted for construction in the floodplain, and no disaster assistance will be available.

She reported that funding is available to pay for 50% of the administrative costs to update the ordinance. She stated that the Township's first step should be to forward a copy of the ordinance to DCED for review. DCED will advise the Township as to what changes would need to be made to the ordinance to bring it into compliance.

Highway Department Vacancy

Upon a Holman/Novinger motion, the PTS voted unanimously to advertise the vacancy in the highway department, subject to Mr. Plummer's wording.

Cumberland-Perry Task Force (CPTF)

The Secretary reported that she had been appointed as the 2007 alternate to the CPTF. She added that Robert Shaffer had requested that he not be re-appointed as the primary representative. After discussion, and upon a Novinger/Holman motion, the PTS voted unanimously to appoint Randy Plummer as the primary representative on the CPTF and to appoint Helen Klinepeter as the alternate.

Thank You Note to Margaret Raub

Ms. Novinger requested the Secretary to send a letter to Margaret Raub, thanking her for years of service to Penn Township as an Elected Auditor.

MINUTES OF JANUARY 30, 2008

Page 8 of 8

ADJOURNMENT

With no further business to be conducted, and upon a Novinger/Plummer motion, the PTS voted to adjourn at 8:35 p.m.

Respectfully Submitted,

Susan E. Long
Recording Secretary