

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

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The Penn Township Board of Supervisors (PTS) met on Wednesday, November 26, 2008 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), Rich Wagner (Solicitor), Max Shradley, (Engineer), and Susan Long (Treasurer). Chairman Holman called the meeting to order at 7:00 p.m. He then led the group in the recitation of the *Pledge of Allegiance* and a moment of silence and announced that the meeting was being recorded to aid in the preparation of the minutes. A list of visitors is on file in the Township office.

VISITORS

Byron Worner, Duncannon Fire Company (DFC)

Mr. Worner noted that the PTS was working on the 2009 budget and stated that DFC would like to know as soon as possible how much funding it would receive.

Jodi Rissinger, Perdix Fire Company (PFC)

Ms. Rissinger asked if any budget meetings had been held. Chairman Holman responded that an advertised meeting was held on November 19th, at which time approval was given to advertise the 2009 budget. He added that further discussion on the budget would be held later in the meeting.

MINUTES

Upon a Novinger/Plummer motion, the PTS voted to unanimously approve the minutes of the October 21 and 29, 2008 PTS meetings as presented.

INVOICES AND EXPENDITURES

The Treasurer pointed out the invoices that were paid with the November 7th and 21st payrolls, along with the ACH deductions since the October 29th meeting.

The PTS reviewed the Invoices and Expenditures report for the period October 30 through November 26, 2008. After due consideration, and upon a Novinger/Plummer motion, the PTS voted unanimously to approve payment of checks 21403 through 21461 from the PLGIT General Account in the amount of \$36,875.27, ten ACH transfers from the Orrstown Bank General Account in the amount of \$3,765.12, and checks 1064 through 1072 from the Orrstown Bank PTPRB Checking Account in the amount of \$1,501.41.

Furnley Frisch Invoice

The Secretary reported that Mr. Frisch has an outstanding invoice from 9/14/07 for his denied subdivision plan, and that he was re-billed in December 2007 and March 2008. No further billing was done during his bankruptcy proceedings. After discussion, it was the consensus to re-bill Mr. Frisch the past due amount of \$197.76.

Liquid Fuels Resolution

The Secretary reported that PennDOT wants all municipalities to file their Liquid Fuels reports electronically and presented a draft resolution to enable electronic access to PennDOT's system. The Solicitor noted that he had reviewed the resolution and found it to be satisfactory. After discussion, and upon a Plummer/Novinger motion, the PTS unanimously approved Resolution 2008-06.

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HIGHWAY DEPARTMENT REPORT

McDade Letter

Mr. Plummer reported that Gigi McDade was sent a certified letter asking her to remove the concrete that was sitting in the middle of Firehouse Road, but that it was returned "Unclaimed". The Solicitor recommended that the letter be hand-delivered by Officer Goerner to Ms. McDade.

Anti-skid Materials

Mr. Plummer reported that the PTS saved \$1,548.00 on anti-skid material by picking it up from the Camp Hill Prison, which offered it at no charge. Chairman Holman stated that more of the anti-skid material is available, and requested the visitors to inform municipalities that could use it of its availability.

Brush Drop-Off Procedure

Mr. Plummer reported that the new hours for brush drop-off (Monday through Wednesday, 8:00 – 4:00) were working very well.

PENN TOWNSHIP PLANNING COMMISSION (PTPC) REPORT

Bornman Subdivision Plan, File #2008-09

Chris Hinkle, Burget & Associates representative, explained that the Bornmans were consolidating three lots along SR 11/15 into two lots by shifting property lines, and that no improvements were included as part of the subdivision. The Engineer reported that comments from Perry County Planning Commission and the Zoning Officer had all been addressed, and that the only outstanding item is that the plan needs to be signed and notarized. He added that the PTPC is recommending approval of all waivers requested.

After discussion, and upon a Novinger/Plummer motion, the PTS approved the AORs as detailed by the Engineer in his letter of November 18, 2008. After further discussion, and upon a Holman/Plummer motion, the PTS voted unanimously to approve the Bornman Subdivision Plan, File #2008-09, contingent upon the dedicatory statement being signed and sealed, and all fees paid.

Elite Dialysis Stormwater Agreement

The Solicitor noted several discrepancies in the Elite Dialysis Stormwater Agreement. He stated that Paragraph 1 states that the improvements in the development shall remain that of the grantor, while Paragraph 13 absolves the grantor of personal liability when all of the lots in the subdivision are transferred to third persons. He offered that, in that case, the deed to the lots must contain a reference to any improvements thereon that are subject to maintenance, and make it the responsibility of the new owners to maintain the improvements.

The Engineer noted that the Elite Dialysis plan is for a single lot and stated that there would be no lots for future sale. It was then discussed that the agreement was based on a Township-written template, which would need revising.

The Solicitor stated that he did not have a problem with the Township sending the agreement as a form for developers to review, but the developers would need to adapt it to suit their particular circumstances. He suggested that the PTS should add Paragraph 17 to include the following, "In the event that the grantor absolves himself of all responsibility, it is expressly understood that the plan, and each deed, shall detail the responsibility of the lot owner to maintain in a good state of repair and condition all improvements, including stormwater facilities, within the lots conveyed by the grantor".

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The Secretary was requested to forward copies of the original stormwater agreements made with the Perry County Economic Development Corporation to the Solicitor.

ZONING OFFICER (ZO) REPORT

The November 2008 ZO Report was reviewed without comment.

SEWAGE ENFORCEMENT OFFICER (SEO) REPORT

The November 2008 SEO Report was reviewed without comment.

PENN TOWNSHIP PARK AND RECREATION BOARD (PTPRB) REPORT

The PTPRB Report for November 2008 was reviewed.

Chairman Jim Renner reported on his meeting with a DCNR representative to discuss small-town grants, specifically as they would apply to a one-half mile fitness trail on the park grounds. He noted that twelve students attended the November 20th PTPRB meeting to discuss a skateboard park and that a small park would be constructed, at a cost of \$200.00, in an effort to stop skateboarding on the picnic tables. He added that he contacted the Township's insurance carrier, and that there would be no increase in the cost of insurance.

Mr. Renner noted that park regulations specify that it must close at dusk, and recommended they be changed to allow for longer functions. After discussion, and upon a Plummer/Novinger motion, the PTS voted unanimously to revise the regulation to state, "Park closes at dusk, or later if approved by the PTPRB," to allow for special programs.

PENN TOWNSHIP MUNICIPAL AUTHORITY (AUTHORITY)

Ms. Novinger noted that the Authority has been working very hard on reducing the number of its delinquent accounts, in addition to reducing the number of properties that still need to be connected to the sanitary sewer in Perdix.

The Secretary noted that Gladys Martinez has a permit that will expire on January 17th, and that she has had one free renewal. She asked if, in the event Ms. Martinez has not connected to the sewer by January 17th, another free permit should be issued or if there should be a charge for this renewal. The Secretary added that Ms. Martinez expects to be connected by December 31st. She was requested to send Ms. Martinez a letter reminding her that her permit will expire on January 17th. If necessary, the Secretary is to put this item on the December 30th agenda.

SECRETARY REPORT

Amendment to Ordinance 101

The Secretary reported that a draft ordinance amending Ordinance 101, the sewer connection ordinance, has been duly advertised. After discussion, and upon a Novinger/Holman motion, the PTS voted unanimously to adopt the amendment to Ordinance 101.

Lester Sharar Property, State Road

The Secretary reported that Mr. Sharar has connected his State Road property to the sanitary sewer. However, he did it without obtaining the necessary permits, the fees for which had been previously waived by the Authority and the PTS. The Secretary was requested to send a letter to Mr. Sharar, informing him of the need to obtain the necessary inspection permit within thirty days, or his permit will be revoked and he will be in violation of Ordinance 101.

Perry County Association of Township Officials (PCATO)

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The Secretary reported that the annual PCATO convention will be held on February 28th. Chairman Holman and Ms. Novinger informed the Secretary of their interest in attending. Mr. Plummer is also interested in attending; however, if weather conditions are bad, he will need to plow Township roads instead.

ENGINEER REPORT

The Engineer Report was reviewed with the following additional comments.

Agricultural-Rural (AR) Zoning District Update

The Engineer reported that the PTPC is in the process of updating the AR zoning district regulations and is considering modifications to the animal regulations. Chairman Holman thanked Ms. Novinger for her willingness to work with the PTPC on the animal regulations.

Sheetz Car Wash Stormwater Management Revisions

The Engineer reported that Sheetz engineer, Brian Soyka, was again requested to notify the PTS when Sheetz's contractor would begin the work.

SOLICITOR REPORT

The Solicitor noted that a police vehicle calibration agreement was to be discussed later. He informed the PTS that calibration of speed-timing devices is required by state law to be performed every 60 days.

POLICE REPORT

The Monthly Police Incident Reports were reviewed without comment.

Police Vehicle Calibration Agreement

After discussion, it was the consensus to enter into a prepay agreement with YIS-Cowden for calibration of police vehicle speed-timing devices, and to have Officer Goerner sign the agreement.

Delivery of Letters

The Secretary reported that she gave Officer Goerner letters to hand-deliver to Chad Smith, concerning the electrical inspection for his grinder pump, and to Doug Megonnell, concerning his final inspection.

BUILDING, ZONING, DRIVEWAY, AND SIGN PERMIT REPORT

The October 2008 Permits Report was reviewed without comment.

CORRESPONDENCE

Community Development Block Grant (CDBG)

The Secretary reported that she forwarded a copy of the CDBG application to the Authority .

OLD BUSINESS

Act 547 Pension Plan

The Secretary reported on a pension seminar, sponsored by PSATS, that she had attended on November 6th. She stated that the new plan was a supplement to, and not a replacement of, the

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current pension plan. It was the consensus that there was not enough interest to warrant further research into an Act 547 pension plan.

2009 Budget

Chairman Holman explained that the PTS will be on a tight budget in 2009 because proposed revenues do not exceed proposed expenditures. He noted that the fire companies have asked for significant additional revenue but that the budget has been advertised with no increase for fire services. He sympathized with the fire companies and offered that the only option for additional revenue would be to increase the real estate tax, or initiate a fire tax.

Chairman Holman then asked the PTS to re-consider an increase for emergency services and moved to increase donations to DFC, PFC and Duncannon EMS in the amount of \$1,000 each for 2009. Mr. Plummer seconded the motion. Motion passed by unanimous vote of the PTS. The Secretary was asked to notify Duncannon EMS that its 2009 donation would be \$11,000.00, and to notify DFC and PFC that they would each receive \$27,000.00 in 2009.

Mr. Worner asked if the DFC would receive an amended contract. The Secretary was requested to amend the form letter submitted by DFC with the new amount and forward it to DFC. Mr. Worner was told that DFC had until December 10th to accept or reject its contract to provide emergency services to Penn Township.

Chairman Holman stated that he felt the PTS is contributing its fair share to the fire companies. Mr. Worner countered that one township in Cumberland County, which contributes the same amount as the PTS, also purchases fire equipment for its company. He stated that the DFC would need \$450,000 in 2010 for purchase of replacement equipment. He added that DFC has no money to furnish its new building, or improve the land, and that all money is used to meet expenses.

Chairman Holman asked if DFC felt the work was finished on its land development plan, with Mr. Worner answering in the affirmative. Chairman Holman then offered his opinion that the work has not been completed according to the plan and stated that it would need to be done before the letter of credit could be reduced. Mr. Worner stated that the contractor finished the work according to the plan. Chairman Holman offered that he would be willing to perform a site visit, as a private citizen, and to explain what still needs to be done, to help DFC save money. Mr. Worner invited him to attend the next DFC meeting on December 8th at 7:30 p.m.

Harry Hassinger Letter

Chairman Holman asked if Harry Hassinger had responded to the letter sent to him as a result of the November 19th meeting. The Secretary replied that there has been no response from Mr. Hassinger to-date.

NEW BUSINESS

There was no new business for discussion.

ADJOURNMENT

With no further business to be conducted, and upon a Novinger/Plummer motion, the PTS voted unanimously to adjourn at 8:00 p.m.

Respectfully Submitted,

Susan E. Long
Recording Secretary

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