

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

Henry A. Holman, Jr., Chairman

Randy Plummer, Vice Chairman

CeCe Novinger, Supervisor

MINUTES OF JANUARY 5, 2009

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The Penn Township Board of Supervisors (PTS) met on Monday, January 5, 2009 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), Paul Sheaffer (Acting Police Chief), 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.

EXECUTIVE SESSION

Chairman Holman announced that an executive session with the Solicitor would be held in the next room and stated that the meeting would be recessed for five minutes.

RECONVENING OF MEETING

Chairman Holman announced that he was changing the order of the agenda to discuss the Duncannon Fire Company's (DFC) rejection of a contractual offer in the amount of \$27,000 to provide fire protection to Penn Township in 2009. He then turned the floor over to the Solicitor.

The Solicitor announced that a meeting had just been held between himself, Chairman Holman, and representatives of the fire companies. He explained that the other two supervisors were not at that meeting because it had not been advertised, and their attendance would have been a violation of the Sunshine Law.

The Solicitor stated that both sides expressed their concerns and the PTS is concerned about having adequate fire protection for Penn Township. He stated that he thought an understanding had been reached and the 2009 fire company funding is acceptable, provided that the PTS makes a commitment that it will immediately and reasonably negotiate with the fire companies about increasing the amount of funding to the fire companies, primarily through initiation of a fire tax. He stressed that the fire companies did not ask for immediate implementation of a fire tax nor did they ask for a certain amount of funding. He stated that the PTS will immediately start considering its 2010 funding of the fire companies and immediately start meeting with fire company representatives. The Solicitor reported that the fire companies have agreed to open their financial records to the PTS and will answer any questions the PTS might have. He offered that this combination will provide a reconciliation among the parties.

The Solicitor was asked about fire protection for 2009. He reiterated his understanding that there was a commitment from the two fire companies to provide fire protection if they in turn got a commitment from the PTS to immediately begin to look at a fire tax as a revenue mechanism for the future. He was asked how the fire companies would survive with the 2009 budgeted funding. He responded that was up to the fire companies – they had agreed to commit to the 2009 funding if the PTS would commit to looking at a fire tax. DFC Chief, Byron Worner, agreed that was his understanding from the meeting. Jodi Rissinger, Perdix Fire Company (PFC) stated that was not quite her understanding. She asked what "immediately and reasonably" meant. The Solicitor noted that therein lies part of the problem – DFC agrees that was the understanding, and PFC does not have that understanding.

A resident questioned if fire protection would be provided by both fire companies in 2009. Mr. Worner stated that DFC would provide fire protection. Ms. Rissinger said she was not

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qualified to answer the question. Monte Supko said he was not authorized to make that decision but would take it back to PFC members. He did state that PFC never said that it wouldn't provide service in 2009, but it also never said that it would provide services. He said it would be up to the volunteers of PFC. Ms. Rissinger stated that, if PFC has a commitment from DFC that they are going to be responding, and PFC is going to have the help, it alleviates some of PFC's safety concerns. Mr. Worner stated that DFC had presented its new letter of official representation to the Township Secretary this evening.

At this time there was a Holman/Plummer motion to approve the Solicitor's presentation to the fire companies and accept the conditions discussed. Motion passed unanimously. Paul Soltis, Emergency Management Coordinator, stated that he was 100% in support of the results of the meeting.

Carl Fox noted his understanding that this was the annual reorganization meeting, and asked how the PTS could take any action before they had reorganized. The Solicitor responded that the PTS can change the order of the agenda, if it so desired.

APPOINTMENTS FOR 2009

Temporary Chairman

Upon a Holman/Plummer motion, the PTS voted unanimously to appoint CeCe Novinger as temporary Chairman.

Temporary Secretary

Upon a Holman/Novinger motion, the PTS voted unanimously to appoint Susan Long as temporary Secretary.

Appointment of Chairman

Upon a Plummer/Novinger motion, the PTS voted unanimously to appoint Henry Holman, Jr. as Chairman of the PTS.

Appointment of Vice-Chairman

Upon a Holman/Plummer motion, the PTS voted unanimously to appoint CeCe Novinger as Vice-Chairman of the PTS.

Appointment of Roadmasters

Upon a Holman/Novinger motion, the PTS voted unanimously to appoint all three Supervisors to the position of Roadmaster, with Randy Plummer as working Roadmaster.

Appointment of Secretary

Upon a Novinger/Plummer motion, the PTS voted unanimously to appoint Helen Klinepeter as Township Secretary.

Appointment of Treasurer

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Upon a Plummer/Novinger motion, the PTS voted unanimously to appoint Susan Long as Township Treasurer.

Appointment of Acting Police Chief

Upon a Plummer/Novinger motion, the PTS voted unanimously to appoint Paul Sheaffer as Acting Chief of Police. Mr. Sheaffer will have a six-month probationary period, after which he will be considered for promotion to Chief of Police.

Appointment of Township Solicitor

Upon a Plummer/Novinger motion, the PTS voted unanimously to retain the firm of Mancke, Wagner, Spreha and McQuillan as Township Solicitor.

Appointment of Township Engineer

Chairman Holman reported that the PTS has received proposals for this position from several firms. He stated that he would like the Penn Township Planning Commission (PTPC) to review the proposals, since its members work closely with the engineer. Upon a Holman/Novinger motion, the PTS voted to retain Rettew Associates as Township Engineer on a monthly basis until the PTPC has a chance to interview the firms. Mr. Plummer abstained from voting.

Appointment of Vacancy Board Chairman

Upon a Holman/Plummer motion, the PTS voted unanimously to retain Donald Carpenter as chairman of the Vacancy Board.

Appointment of Township Sewage Enforcement Officer (SEO)

Upon a Novinger/Plummer motion, the PTS voted unanimously to re-appoint Madden Engineering for sewage enforcement services. John Madden will serve as SEO and Leonard Sizer as alternate SEO.

Appointment of Township Zoning Officer (ZO)

Upon a Plummer/Novinger motion, the PTS voted unanimously to re-appoint Madden Engineering for zoning services. John Madden will serve as ZO and Leonard Sizer as alternate ZO.

Appointment of Uniform Construction Code (UCC) Inspection Agency

Upon a Novinger/Plummer motion, the PTS voted unanimously to retain Glace Associates as the Township's UCC inspection agency.

Appointment to Fill Expired Position on the Penn Township Municipal Authority (Authority)

Upon a Novinger/Plummer motion, the PTS voted to re-appoint Henry Holman, III, to the Authority. Chairman Holman abstained from voting.

Appointment to Fill Expired Position on the PTPC

Upon a Holman/Plummer motion, the PTS voted unanimously to re-appoint Brian Maguire to the PTPC.

Appointment to Fill Expired Position on the Penn Township Zoning Hearing Board (ZHB)

Upon a Novinger/Plummer motion, the PTS voted unanimously to appoint Vince Bernhard to the ZHB.

Appointment to Fill Expired Position on the Penn Township Park and Recreation Board (PTPRB)

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Upon a Novinger/Plummer motion, the PTS voted unanimously to re-appoint Jim Renner to the PTPRB.

Appointment of Right to Know Officer and Resolution 2009-03

Upon a Holman/Novinger motion, the PTS voted unanimously to appoint Secretary Helen Klinepeter as Right to Know Officer, and to approve the required Commonwealth of PA Open Records Policy Resolution 2009-03.

Appointment to the Cumberland-Perry Task Force (CPTF)

Upon a Holman/Novinger motion, the PTS voted unanimously to re-appoint Randy Plummer as primary representative to the CPTF, and Helen Klinepeter as alternate.

Appointment to the Capital Tax Collection Board

Upon a Holman/Plummer motion, the PTS voted unanimously to re-appoint Susan Long as Township representative to the Capital Tax Collection Bureau and appoint Helen Klinepeter as alternate.

Appointment of Financial Depositories

Upon a Plummer/Novinger motion, the PTS voted unanimously to retain PLGIT and Orrstown Bank as financial depositories for 2009.

2009 WAGES

Acting Police Chief – Upon a Holman/Novinger motion, the PTS voted unanimously to set the hourly rate for Paul Sheaffer, Acting Police Chief, at \$20.00 per hour.

Township Employee Wages

Upon a Holman/Plummer motion, the PTS voted unanimously to freeze wages for Township employees at the 2008 rates.

VISITORS

Unknown Resident

A resident voiced her concern about the number of vehicles travelling on Creek Road at a high rate of speed. Mr. Plummer suggested that, to assist Acting Chief Sheaffer, information could be taken from the Township's Speed Sentry to determine what time of day the traffic flow on Creek Road was the heaviest.

Rodney DeHaas, Lavonne Drive

Mr. DeHaas questioned the procedure and deadline to get a fire tax put on the ballot. Chairman Holman explained that a fire tax of more than three mills needed to be put on the referendum, but any millage less than that can be enacted locally. He stated that a fire tax would be based on the real estate assessment, and would require accountability on the part of the fire companies.

Lester Nace

Mr. Nace stated that, while he was on the Duncannon EMS, three land development plans were submitted to the PTS and none were ever approved. Chairman Holman responded that no plans have been submitted to the PTS from the EMS since he became a supervisor in 2004. He

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explained that the Authority had issues with the previous plans; therefore, those plans were never approved by the PTS.

NEW BUSINESS

Points of Contact

Upon a Novinger/Plummer motion, the PTS voted unanimously to appoint the following points of contact: Chairman Holman – office staff and police department, Mr. Plummer – PTPRB and highway department, Ms. Novinger – PTPC and Authority.

Mileage Rate

Upon a Holman/Novinger motion, the PTS voted unanimously to set the mileage rate for use of personal vehicles at \$.45 per mile.

Tax Rate Resolution 2009-01

Upon a Holman/Plummer motion, the PTS voted unanimously to approve Resolution 2009-01, retaining the real estate tax millage rate at .75 mill, the street tax rate at \$.32 per front foot, and the fire hydrant tax at \$.13 per front foot.

Occupation and Per Capita Taxes

Upon a Novinger/Plummer motion, the PTS voted unanimously to retain the current levy of \$5.00 each for the occupation and per capita taxes.

2009 Fee Schedule

The Secretary reported that the only changes to the fee schedule for 2009 were fees set by the Commonwealth of PA in accordance with the Open Records Law. Paul Sheaffer, Acting Police Chief, requested that the category of Police Incident Reports be deleted because many incident reports contain sensitive information. He stated that police departments do not typically give out incident reports without a court order. Mr. Sheaffer will check with the PA State Police for further clarification. Upon a Plummer/Novinger motion, the PTS voted unanimously to approve Fee Schedule Resolution 2009-02, subject to the result of Mr. Sheaffer's inquiry.

2009 Meeting Dates

Upon a Novinger/Plummer motion, the PTS voted unanimously to meet the last Wednesday of each month in 2009, with the exception of the November meeting, which will be held on Tuesday, November 24, 2009.

Tax Collector Audit

Upon a Novinger/Plummer motion, the PTS voted unanimously to have the elected auditors perform the annual audit of tax collector Barbara Hamilton. Mr. Plummer asked that the elected auditors be informed that he wished to freeze his roadmaster wage at the 2008 hourly rate.

INVOICES

Upon a Novinger/Plummer motion, the PTS voted unanimously to approve check #1077 from the PTPRB checking account in the amount of \$54.77, to replenish the PTPRB's petty cash fund.

TREASURER REPORT

Upon a Novinger/Plummer motion, the PTS voted unanimously to accept the Treasurer Report for the period December 30 through December 31, 2008, subject to yearly audit.

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POSTED PROPERTY

Chairman Holman noted, for the record, that he has posted his property to prevent Township vehicles from using it as a turn-around. He stated that, in actuality, he allows Township vehicles to turn around at that location, but for legal purposes he has posted his property. Chairman Holman also noted for the record that he does not receive compensation for any of the work he performs for the Township.

OLD BUSINESS

PSATS Convention

The Secretary reported that the PSATS convention would be held April 19-22, 2009. Ms. Novinger stated that she would like to attend the Sunday workshop, but was unable to attend the week day sessions. Upon a Holman/Novinger motion, the PTS voted unanimously to pay the cost for Ms. Novinger and Mr. Plummer to attend the PSATS convention, with Mr. Plummer being the voting delegate.

Humane Society Membership

The Secretary reported that the annual membership fee for the Humane Society was \$2,492. After discussion of the pros and cons of membership, it was the consensus to table further discussion until the January 28, 2009 meeting.

NEW BUSINESS

2009 Goals

Administrative, Highway Department, PTPRB, and Police Department goals were reviewed without comment.

American Board for Certification in Homeland Security (ABCHS)

The Secretary reported that ABCHS is offering a certification course in disaster preparedness. ABCHS membership is required at a cost of \$165.00. It was noted that FEMA and PEMA offer online certification at no cost. After discussion, and upon a Holman/Novinger motion, the PTS voted unanimously not to register for the course.

PSATS Annual Road and Bridge Improvement Contest

The Secretary reported that PSATS is holding a contest to recognize outstanding township bridge improvement projects for 2008, with a contest deadline of March 6, 2009. Mr. Plummer will decide if he can make a suitable presentation about the improvements made to the Watts Drive bridge.

PSATS Intergovernmental Cooperation Survey

The Secretary reported that PSATS is surveying township use of, and attitudes toward, intergovernmental cooperation. The results will document township cooperation across the state and will be used to combat what has been described as expensive and unnecessary legislation. The Secretary was requested to complete the survey and submit it to PSATS.

ADJOURNMENT

With no further business to be conducted, and upon a Holman/Plummer motion, the PTS voted unanimously to adjourn at 8:30 p.m.

Respectfully Submitted,

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Susan E. Long
Recording Secretary