

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

Henry A. Holman, Jr., Chairman

Lucinda (CeCe) Novinger, Vice-Chairman

Randy Plummer, Supervisor

MINUTES OF FEBRUARY 25, 2009

Page 1 of 7

The Penn Township Board of Supervisors (PTS) met on Wednesday, February 25, 2009 in the Municipal Building. Chairman Henry Holman, Jr., Vice-Chairman CeCe Novinger, and Supervisor Randy Plummer were in attendance. Other personnel present were Helen Klinepeter (Secretary), Max Shradley, (Engineer), P. Richard Wagner (Solicitor), 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.

VISITORS

Robert Wright

Mr. Wright was in attendance to request permission to park a school bus in the municipal building lot during non-school times. Upon questioning by the Solicitor, Mr. Wright stated that Rohrer Bus Service (RBS) is the owner of the bus and carries insurance on it. The Solicitor will contact RBS to sign an agreement stating that the PTS will not be responsible for the bus while it is parked on Township property.

Shade Reidlinger, Perdix Fire Company (PFC)

Mr. Reidlinger reported on the February 23rd fire at 10 Firehouse Road and thanked Mr. Plummer and Ms. Novinger for their presence and concern during firefighting operations. Chairman Holman explained that he was unable to attend due to a prior appointment with the Acting Chief of Police.

Kevin Bissonette, Duncannon Fire Company (DFC)

Mr. Bissonette reported that the tower truck is still out of service. He added that Rescue #2 truck is now also out of service. He stated that, due to a lack of funding, repairs cannot be made to either vehicle. DFC needs either additional funding from Penn Township, Duncannon Borough and Reed or Wheatfield Township, or needs someone with technical ability to donate their assistance.

It was noted that Rescue #2 truck has had several breakdowns in the past few months. Chairman Holman asked if the breakdowns are a result of the truck running through water several years ago. Mr. Bissonette replied that could not be specifically determined. Mr. Plummer offered that he felt the rescue truck should be repaired as soon as possible because it is used on every emergency call and is a vital piece of equipment. Chairman Holman offered that he would like to wait and see the responses from the other municipalities before he agrees to give additional funding. The Solicitor told Mr. Bissonette to inform the PTS of the responses as soon as they are known, because the PTS can always schedule an emergency meeting to allocate additional funds. Monte Supko stated that Rescue #11 would be covering for Rescue #2 until it was repaired.

Kraig Nace, Duncannon Emergency Medical Services (EMS)

Mr. Nace presented a packet of information to the PTS, including EMS officers and points of contact, along with a breakdown of emergency calls made in 2008. He stated that the 2008 audit was scheduled for March 1, 2009 and a copy would be presented to the PTS when the audit was final.

Peter Fife, Burley Road

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

Henry A. Holman, Jr., Chairman

Lucinda (CeCe) Novinger, Vice-Chairman

Randy Plummer, Supervisor

MINUTES OF FEBRUARY 25, 2009

Page 2 of 7

Mr. Fife stated that he has never had a problem with water in his basement until the cell tower was recently erected. He stated that he knows he is in a wetlands area, but had no trouble when excavating to have the house waterproofed. He stated that he would like the Township Engineer to come to his house and look at how the water is entering the house and determine if the cell tower is the cause. He reiterated that the trouble began when the tower was erected. Chairman Holman stated that the house was built on wetlands, had stood vacant for several years, and had water in the basement at that time. He offered that he did not see how the cell tower could now be deflecting water. Mr. Rife responded that he had been told builder of the cell tower excavated thirty-feet down, which could indeed redirect the ground water.

The Solicitor told Mr. Fife that, if he thinks he has a problem, he needs to hire an attorney and his own engineer. He explained that the PTS cannot send its Engineer to investigate because, in the event that the Township is responsible for the water problem, the Engineer would be testifying against his employer. Chairman Holman stated that, in this case there is nothing the PTS can do, other than trying to keep the adjoining stream cleaned out.

MINUTES

Upon a Novinger/Holman motion, the PTS voted to unanimously approve the minutes of the December 30, 2008, January 5 and January 28, 2009 PTS meetings as presented.

INVOICES AND EXPENDITURES

The Treasurer pointed out that the check for the Humane Society had been approved at the January 28th meeting, and noted that no invoices were paid with the February 13th payroll.

The PTS reviewed the Invoices and Expenditures report for the period January 29 through February 25, 2009. After due consideration, and upon a Holman/Plummer motion, the PTS voted unanimously to approve payment of checks 21578 through 21634 from the PLGIT General Account in the amount of \$23,123.48, eleven ACH transfers from the Orrstown Bank General Account in the amount of \$4,364.70, and checks 1086 through 1088 from the Orrstown Bank PTPRB Checking Account in the amount of \$5,359.04.

The Secretary reported that an invoice in the amount of \$65.00 had been received from the PA League of Cities and Municipalities (PLCM) for the annual dues. She stated that the PTS has not used any of the membership benefits for several years and questioned if the membership should be continued. After discussion, and upon a Novinger/Plummer motion, the PTS voted unanimously to discontinue membership in the PLCM.

TREASURER REPORT

The Treasurer reported that the CD with Sovereign Bank would mature on March 17th and that she would start researching interest rates.

Upon a Novinger/Holman motion, the PTS voted unanimously to accept the Treasurer Report for the period January 29 through February 25, 2009, subject to yearly audit.

HIGHWAY DEPARTMENT REPORT
PPL Highway Occupancy Permit

MINUTES OF FEBRUARY 25, 2009

Page 3 of 7

The Solicitor reported that, to avoid litigation, PPL would like to meet with the PTS to resolve issues connected with the installation of poles in the Township right-of-way (ROW) along Butchershop Road. The Solicitor suggested that the PTS could schedule a meeting, and then adjourn into executive session, to discuss the matter. Mr. Plummer noted that Embarq is telling the PTS that it is installing the poles, not PPL. The Solicitor stated that provides another reason to schedule a meeting with PPL. Ms. Novinger suggested that perhaps an Embarq representative should be invited to the meeting. It was the consensus that further discussion would take place in executive session later this evening.

3-M Grant for Street Signage

Mr. Plummer reported that 3-M is providing a grant for replacement of street signs. He stated that he has started the application process.

PENN TOWNSHIP PLANNING COMMISSION (PTPC) REPORT

Plummer Final Subdivision Plan, File #2009-01

It was noted that Mr. Plummer is a supervisor and will not participate in discussion or in any vote on this subdivision.

Joe Burget explained that this plan is for a lot addition – Mr. and Mrs. Plummer are adding a 50' strip of land to their parcel from an adjoining parcel. After discussion, and upon a Novinger/Holman motion, the PTs voted to approve the following AORs of the Subdivision and Land Development Ordinance – Section 309.A.a, Section 309.A.7, Section 309.A.11, Section 309.A.18, and Section 309.B.

Upon a Novinger/Holman motion, the PTS voted to approve the Plummer Final Subdivision Plan, File #2009-01, contingent upon the landowners certifying ownership by signature, and payment of all fees. The applicant agreed to the contingencies.

ZONING OFFICER (ZO) REPORT

The February 2009 ZO Report was reviewed without comment.

SEWAGE ENFORCEMENT OFFICER (SEO) REPORT

The February 2009 SEO Report was reviewed without comment.

PENN TOWNSHIP PARK AND RECREATION BOARD (PTPRB) REPORT

The PTPRB Report for February 2009 was reviewed.

Chairman Jim Renner reported that the annual Chicken BBQ/Flea Market will be held on March 28, 2009. He asked for permission to seek DCNR funding for an adult fitness trail. Approval was given by unanimous vote on a Holman/Novinger motion.

As in the past, the Solicitor stated that he would reduce his March fee by the cost of twenty-five BBQ dinners. He requested that the dinners be given to low-income residents who could not otherwise afford them.

PENN TOWNSHIP MUNICIPAL AUTHORITY (AUTHORITY)

Ms. Novinger announced that the Authority has reduced its monthly sewer rate by \$5.00 per EDU, to \$65.00 per EDU. Chairman Holman relayed that another lot has been sold in Business Campus One, which will bring in additional revenue to the Authority.

SECRETARY REPORT

MRM Workers' Compensation Trust

MINUTES OF FEBRUARY 25, 2009

Page 4 of 7

The Secretary reported that the PTS has a choice between sending a delegate to MRM's annual meeting, or mailing a proxy vote. After discussion, and upon a Holman/Novinger motion, the PTS voted unanimously to vote by proxy. The Secretary was requested to submit the necessary paperwork to MRM.

Ordinance 2009-01

The Secretary reported that Ordinance 2009-01, replacing Ordinance 90, has been duly advertised and was ready for adoption. Upon a Novinger/Plummer motion, the PTS unanimously adopted 2009-01, a pet ordinance that replaces Dog Ordinance #90.

Check Writing Resolution

The Secretary presented a draft resolution, outlining the policy for issuing checks between scheduled PTS meetings. Upon a Novinger/Plummer motion, the PTS voted unanimously to adopt Resolution 2009-01, setting forth the procedure to issue checks between scheduled meetings and limiting those checks to \$200.00.

Perry County Convention

The Secretary requested permission to attend the Perry County Convention. Permission was unanimously granted by a Holman/Novinger motion.

Digital Camera

The Secretary reported that the Township's digital camera has stopped working and asked if it should be repaired or replaced. She was asked to obtain replacement cost estimates for submittal at the March 25th meeting.

Zoning Ordinance Amendment

Upon a Holman/Novinger motion, the PTS voted unanimously to re-advertise the hearing for the zoning ordinance amendment. The advertisement will state that the hearing will be held at 6:30 p.m. on March 25th, with the regularly scheduled PTS meeting to convene immediately after the hearing.

2008 Financial Audit

Upon a Novinger/Plummer motion, the PTS voted unanimously to advertise the 2008 audit notice, as required by law. The Secretary reported that the auditors would like to present their findings at the March 25th meeting. She will inform them that they will be first on the agenda.

ENGINEER REPORT

The Engineer Report was reviewed with the following additional comments.

Agricultural-Rural (AR) Zoning District Update

The Engineer reported that the PTPC continues to update the AR zoning district regulations. The Solicitor noted that there are typographical errors in Section 1820 that the Secretary will bring to the attention of the PTPC.

Sheetz Car Wash Stormwater Management Revisions

The Engineer reported that Sheetz's contractor will contact him as to the schedule for the corrections that will be made to the stormwater detention pond. The Engineer will then contact the PTS.

DFC Request for Reduction of Financial Security

MINUTES OF FEBRUARY 25, 2009

Page 5 of 7

The Engineer reported that he had performed a site visit to ascertain whether the DFC station house project has been completed according to the plan filed in the Township office. He reported that three items remain to be completed. Seeding and mulching has been placed but grass has not yet started to grow. The point of discharge of the southern swale into the basin from the parking lot is showing erosion. The emergency spillway appears to be three to four feet below the top of the berm, while the design shows the spillway at two feet below. He recommended that the financial security be reduced to \$10,000.00 at this time, to allow for remediation of these issues.

The Engineer then noted that, upon completion of the work noted on the revised plan, no further work can be done on the property without the approval of the PTS. He suggested that this understanding be documented in a recorded form prior to full release of the remaining financial security.

After discussion, and upon a Plummer/Novinger motion, the PTS voted unanimously to reduce the financial security for DFC to \$10,000.00.

Engineer Appointment for 2009

The PTS had extended the appointment of Rettew Associates for an additional month at its January meeting to give the PTS an opportunity to review the PTPC's proposed procedure to reduce engineering review fees. Based on that review, and upon a Novinger/Plummer motion, the PTS voted unanimously to appoint Rettew Associates for its engineering services for the remainder of 2009, subject to the new review procedures recommended by the PTPC.

SOLICITOR REPORT

Furnley Frisch Issues

In the matter of the invoice remaining unpaid by Furnley Frisch, the Solicitor suggested that it could be turned over to the District judge for collection, or another letter could be sent to Mr. Frisch reminding him of the debt. In the matter of the stormwater runoff being caused by Mr. Frisch on Barnett Drive, the Solicitor stated that he has been in contact with Mr. Frisch's attorney. After discussion, and upon a Holman/Novinger motion, the PTS voted unanimously to authorize the Solicitor to write a letter to the attorney asking that, by March 15th, an on-site meeting be scheduled to discuss the runoff. It was the consensus that the issue of the unpaid invoice would also be discussed at that meeting.

Scale House Lease

The Solicitor offered his opinion that, as the owners of the former scale house property, the PTS needs to be a party to the lease between Eagle's Nest and PFC. Ms. Rissinger will forward a copy of the new lease to the Township for the Solicitor's review, to see what might need to be changed to allow the PTS to be a party to the lease.

Fire Tax Discussion

It was the consensus to advertise a special meeting to discuss fire tax issues to be held on March 16th, from 7:00 – 8:30 p.m. The meeting will be called to order, the PTS and fire company representatives will enter into executive session for discussion of contract issues, and then the meeting will reconvene for adjournment. Fire company representatives stated that they are authorized to negotiate during the meeting, but are not authorized to make any decisions. Such decisions need to be made by their respective boards.

POLICE REPORT

The Monthly Police Reports were reviewed without comment.

MINUTES OF FEBRUARY 25, 2009

Page 6 of 7

Acting Police Chief Report

Mr. Sheaffer stated that, as part of a Susquenita student's project, he has received stuffed animals to give to children involved in incidents. He stated that he will give some of the animals to the fire companies to hand out.

BUILDING, ZONING, DRIVEWAY, AND SIGN PERMIT REPORT

The January 2009 Permits Report was reviewed without comment.

CORRESPONDENCE

Susquehanna Water Gap Landscapes Workshop

The Secretary announced that a workshop sponsored by Land Logics Group would be held on March 30th and April 2nd to discuss tools that can a better guide growth and development in the region. No discussion was held on the issue.

DCED Appalachian Trail Forum

The Secretary reported that DCED would be holding regional forums to discuss the PA Appalachian Trail Act. Since preservation of the Appalachian Trail is covered in the Zoning Ordinance it was the consensus that no one would attend the forums.

OLD BUSINESS

Sewer Connections

The Secretary reported that eleven properties remain to be connected.

Dog Kennel License

Chairman Holman explained that the PTS has a kennel to house stray dogs until the owners can be found. However, the Department of Agriculture has changed its dog law regulations. The Township dog kennel is now required to have a veterinarian-approved exercise program for any animal kept in the kennel. A fire extinguisher is also now required for the kennel. Chairman Holman stated that he has been in contact with both Dr. Cook and Dr. Schwartz, who verified these new requirements. Giving the reason that the expense necessary to implement the new requirements is not justifiable for the few animals housed every year, the PTS voted unanimously on a Plummer/Novinger motion to discontinue its kennel.

Street Light on Business Campus Way

The Secretary reported that no response has been received from the Perry County Economic Development Corporation or the Perry County Commissioners concerning the PTS request for reimbursement for expenses related to maintenance of the street light on Business Campus Way. She was asked to send a follow-up letter to both groups.

NEW BUSINESS

Firehouse Road Catch Basin Grate

PFC thanked the highway department for the installation of the grate over the catch basin on Firehouse Road.

Emergency Pager Issues

MINUTES OF FEBRUARY 25, 2009

Page 7 of 7

Kraig Nace reported that emergency responders have been experiencing problems with pagers not activating and poor audibility of voice transmission. Emergency Management Coordinator, Paul Soltis, will be kept informed of the situation.

EXECUTIVE SESSION

At 8:55 p.m. the PTS entered into executive session to discuss legal issues. At 10:00 p.m. the meeting reconvened.

PPL Pole Installation

Upon a Holman/Plummer motion, the PTS voted unanimously to advertise a special meeting for March 17th at 2:00 p.m. The meeting will convene and then go into executive session to discuss installation of poles along Butchershop Road with representatives of PPL. The meeting will be held contingent upon PPL representatives' ability to attend.

ADJOURNMENT

With no further business to be conducted, and upon a Novinger/Holman motion, the PTS voted unanimously to adjourn at 10:05 p.m.

Respectfully Submitted,

Susan E. Long
Recording Secretary