

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

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Henry A. Holman, Jr., Chairman Lucinda (CeCe) Novinger, Vice Chairman

Minutes of June 30, 2010

The Penn Township Board of Supervisors (PTS) met on Wednesday, June 30, 2010 in the Municipal Building. Chairman Henry Holman, Jr., Vice-Chairman CeCe Novinger, and Supervisor Brian Maguire were in attendance. Other personnel present were P. Richard Wagner (Solicitor), Helen Klinepeter (Secretary), Max Shradley (Engineer), Paul Sheaffer, (Police Chief) and Christine Shaffer (Treasurer). Chairman Holman called the meeting to order with the Pledge of Allegiance and a moment of silence. He 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

Carl Wood

Mr. Wood appeared to ask the Supervisors if it was possible to get a temporary business permit for 1911 State Rd. prior to his conditional use hearing. Chairman Holman deferred to the Solicitor for his opinion, as there was no precedent. Solicitor Wagner stated that there were a few issues that could arise, including the conditional use not being granted. Mike Ward, the owner of the property in question, spoke on Mr. Wood's behalf, and voiced his opinions and concerns over the decision of the Zoning Officer to deny the permit. Mr. Wood was informed that due to the Zoning Officer's decisions on his application, he could either ask to have an appeal with the Zoning Hearing Board, or proceed with the Conditional Use Hearing, but there was no temporary use permit. Vice-Chairman Novinger interjected that the process exists for the protection of all involved. Mr. Ward asked if this process would also apply to another prospective business that would like to open on his property that also had a denied application. He was told yes, the procedure for appeal or conditional use must be followed, and the appeal must be made within 30 days of the Zoning Officer's decision. Upon approval of a Novinger/Holman motion, his request for a temporary permit was denied.

Paul Soltis

Mr. Soltis informed the Supervisors that he was going to attend 2 classes being held by Adams County Department of Emergency Services at his own expense.

Mona Klobe

Ms. Klobe came before the Board with her continued concerns over the Marstellar concrete facility. She was dismayed by the dust created when the trucks are cleaned near the entrance to their property, and the possible health problems that can result from repeated exposure. She wanted to know if they can be asked to wash down the trucks in a different part of the property. Also she wanted to know if a stop sign can be placed at the exit of their facility. In response to her questions, Solicitor Wagner and Engineer Shradley informed her that she could contact the DEP to make sure there were no water or air quality violations. Chairman Holman also stated that he and one of the Township officers would stop and ask them to cooperate.

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Steve Berkheimer

Mr. Berkheimer's questions were answered earlier in the meeting, and he would pursue his issues with the Zoning Hearing Board.

Aaron Shipton

Mr. Shipton came to ask about a culvert cleaning issue at Petersburg Commons. He requested that if the HOA got the culvert cleaned out as previously discussed, if it could be inspected by the township engineer to make sure it meets the township approval. Ms. Sally Fiscus brought up a previous discussion between the Board and the HOA in regards to this culvert, and a letter that was to be drafted and sent to the HOA's attorney as to who would maintain the culvert. Chairman Holman stated that the Township had decided not to take over the culvert. Secretary Klinepeter said she would get the HOA a copy of the letter in question, along with the minutes of the meeting in which the matter was decided. Mr. Shipton retracted his request for the engineer's visit once it was established that the HOA would be billed for this visit.

MINUTES

Minutes for the April 28, 2010, May 18, 2010 and May 26, 2010 meetings were accepted by unanimous approval of a Novinger/Holman motion.

INVOICES AND EXPENDITURES

After due consideration, and upon a Novinger/Holman motion, the PTS voted to approve payment of checks 22592 through 22741 from the PLGIT General Account in the amount of \$33907.62, ACH transfers from the Orrstown Bank General Account in the amount of \$6285.32. Checks 1219 through 1227 from the Orrstown Bank PTPRB Checking Account for a total of \$533.00 were also approved, subject to audit.

TREASURER'S REPORT

Treasurer Shaffer noted that 3 CD's were up for renewal, one each in the Capital Reserve and Liquid Fuels Funds. She recommended they be allowed to roll over due to favorable interest rates. A request was made to move a 3rd CD for the Parks and Recreation Board from Orrstown Bank to Bank of Landisburg in order to obtain a better interest rate. Upon unanimous approval of a Holman/Novinger motion, the request was granted. Also an updated copy of the budget status was provided to the Board for their review. The Treasurer's Report was accepted upon unanimous approval of a Holman/Novinger motion, subject to audit.

HIGHWAY DEPARTMENT REPORT

Fritz Drive

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Engineer Max Shradley gave his report on his visit to Fritz Drive. It was his recommendation that the pipe be reopened and the natural course of water be reestablished. He also stated that the culvert on the lower access road may need some work done to it in order to convey the water flow. Mr. Shradley did note that one of the property owners, Mr. Firkal, was opposed to this recommendation, as he felt that the runoff adversely affected his property. Chairman Holman asked that a letter be sent from the Solicitor's office to Mr. Firkal asking him to assist with clearing the debris on his property that was blocking the culvert and runoff within a 30-60 day timeframe, at which point the Township will come in and do it.

Allander Drive

Engineer Shradley also went and looked at a drainage issue along Allander Drive. The storm drainage issue seems to have been corrected with the clearing of the culvert and placement of a swale on the downstream side. It was his recommendation that there would be no issue as long as the culvert and swale were maintained, except in the event of heavy downpours, which would only create a temporary overflow across the road surface.

Right of Ways

Chairman Holman asked Solicitor Wagner about the responsibility of maintaining plantings and potential obstacles that are placed in the Township's right of way along roads. He wanted to know who would be required to take care of the upkeep. Solicitor Wagner stated that the property owner is responsible for maintaining the planting or object, however if the object interferes with the right of way, the Township could remove it. (I.E. mailboxes during plowing seasons, tree limbs or hedges that spill out into the road.)

Change of Address Issues

Chairman Holman attended a meeting with the County in regards to problems with emergency services responding to certain addresses within the Township. One of the problems is with Susquenita Hills Rd., which is actually 2 unconnected roads. It was suggested that one of the roads be changed by ordinance to become Schoolhouse Rd, Extended. Another problem area was along New Bloomfield Rd at Chandra Dr. The three property owners that are affected in this area would be allowed to keep their current New Bloomfield Road addresses, but with extended added to it. Also, new signs would be placed to make it easier to locate. A suggestion was made to have the private road signs made in a different color.

The last address issue brought up involved a reassignment of the house number for the Richard Messner property on Linton Hill Rd. by Wheatfield Township when they reassigned other properties along the same road. After discussion, Mr. Messner was directed to take up the matter with Wheatfield if he wanted to pursue the issue. Mr. Messner also brought another property in the same area to the Board's attention, which might present a similar addressing issue when it is sold.

Other Notes

A email thanking the road crew was received by the Township for the patching work on Ashmar Dr. by the Achenbachs. Brush was trimmed on Ebersole Rd, and preparations were made for the upcoming paving project. Haas Drive was also in the process of being prepared for paving.

Chairman Holman met with the Worker's Comp. Representative, and stated that she was very happy with the safety initiatives that were in effect, such as hard hats, steel toed boots, morning meetings, etc. A flagging course has been scheduled for July 26, 2010, and opened to other municipalities. The third police car has been inspected and is now available for the department's use. Finally, Chairman Holman thanked the road crew for their continued hard work, especially during the heat wave.

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PENN TOWNSHIP PLANNING COMMISSION (PTPC) REPORT

There was no planning commission meeting for June, however, a workshop was held for the comprehensive plan.

ZONING OFFICER (ZO) REPORT

Carl Wood Conditional Use Hearing

Mr. Wood would like to open a tattoo studio along State Rd. The conditional use hearing is set for 6:00 p.m. on July 28, 2010.

SEWAGE ENFORCEMENT OFFICER (SEO) REPORT

There was nothing to report for the month.

PENN TOWNSHIP PARK AND RECREATION BOARD (PTPRB) REPORT

The PTPRB Report for June 2010 was reviewed. Chairman Renner stated that there are still two openings on the Parks and Recreation Board. The ball fields are very dry due to weather conditions, and will not be watered due to the cost of water. Fall sports leagues were proposed for later this year. There is now a part time employee assisting with projects around the park. Finally a fundraiser has been proposed and is in the planning stages.

PENN TOWNSHIP MUNICIPAL AUTHORITY (AUTHORITY)

A letter was received requesting relief from the taxes on a property that the PTMA purchased in a Sheriff Sale. The request was tabled by unanimous approval of a Novinger/Maguire motion until an amount owed could be established. Finally, the report was received by the Board bringing them up to date on their latest figures.

SECRETARY REPORT

Penn Tech Letter of Credit

A Novinger/ Holman motion was unanimously approved to reduce the letter of credit for Penn Tech from \$10,000 to \$5,000 based on the recommendation of the Township Engineer.

Cellco (Verizon Cell Tower)

It was recommended that the Board have the Engineer review the Cellco LDP to release the letter of credit. After discussion it was decided to let it be.

Health Reimbursement Arrangement

The documents for the new HRA have been received, and a resolution adopted upon unanimously approval of a Novinger/ Holman motion, after a typing error is corrected.

Recycling Meeting

A meeting has been set for July 1, 2010 at 7 p.m. with the Duncannon Borough and the Duncannon area Boy Scouts.

Rohrer Drive

A Novinger/Holman motion was unanimously approved to release the performance bonds for Rohrer Drive pending the Engineer's approval.

FYI

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The pension audits have been received, with the non-uniformed pension being a clean report. The results for the uniformed pension involved a note to change the ordinance and the reason why the Township has not complied.

ENGINEER REPORT

Agriculture-Rural Zoning Update

There was no change this month to the Agricultural-Rural Zoning Update, as all activities are on hold pending work on the Comprehensive Plan Update.

Comprehensive Plan Update

A workshop was held on June 19, 2010.

Sheetz Car Wash

The Engineer reported that the issues seem to have been resolved. He will draft a formal memo to recommend release of the Letter of Credit.

ADA Review of Petersburg Commons

There has been no change since last month

Duncan Oil Retention Pond

The retention pond drainage issue was looked into during a field visit, and recommendations for improvements will be forwarded to Mr. Mutzabaugh.

POLICE REPORT

Creek Rd. Guardrail

In a previous meeting Chief Sheaffer brought up a damaged section of guardrail along Creek Road under the Rt 11/15 overpass. The Township is a victim in this issue of a 1 vehicle crash. Chief Sheaffer requested a letter to be sent from the Solicitor to get payment from the insurance company to repair this area.

Web Page

An estimate has been submitted to redo the police webpage at a cost of \$40/hr, not to exceed \$595 by Gavin Yingling. Unanimous approval was given to Chief Sheaffer to go ahead with this estimate by the passage of a Holman/Novinger motion

Business Patrols

Several comments have been received about the patrolling of Mutzabaughs by the Police. Chief Sheaffer said that this has been in response to recent thefts at area Rite Aid pharmacies, in an attempt to be proactive. Also, Handicap parking areas are being watched to make sure they are being used by those with the appropriate permits.

Fireworks

Chief Sheaffer reminded residents that permits are required for certain fireworks. Patrols were to be scheduled throughout the holiday weekend to enforce speed limits

At this point Chairman Holman dispensed with the normal order of business in order to discuss the next issue.

Charles George

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A letter from the Petersburg Commons HOA was received by the Board in regards to the request by Mr. George to install a ramp for his scooter. Mr. George said he will not install it himself, and was informed that this was an issue to be settled between himself and the HOA. He will pursue the issue further with the ADA.

SOLICITOR REPORT

The solicitor had nothing additional to report.

BUILDING, ZONING, DRIVEWAY, AND SIGN PERMIT REPORT

The June 2010 Permits Reports were reviewed and accepted without comment.

CORRESPONDENCE

Pennsylvania DCNR

A letter was received from the PA DCNR warning of the at risk status of the community for wildfires, and was reviewed by the Board.

PSATS Youth Award Contest

The letter for the next PSATS youth award contest was received, and forwarded to appropriate youth groups in the area.

Tri-County Regional Planning Commission

The next meeting of the Tri-County Regional Planning Commission is scheduled for July 8, 2010 at the Penn Township Municipal Building. Secretary Klinepeter will attend on the behalf of the Township.

OLD BUSINESS

There was no change in the sewer connection status from last month.

NEW BUSINESS

Newsletter

The Fall/Winter edition of the Township newsletter is being prepared, and all articles are due to the secretary by September 3, 2010.

PSATS Bulletin

The latest edition of the PSATS bulletin contained a request to have all Township Supervisors adopt a resolution opposing pending legislation to eliminate Townships. Upon unanimous approval of a Holman/Novinger motion, the board adopted this resolution.

Cumberland Perry Task Force

The next meeting of the Cumberland Perry Task Force is scheduled for July 15, 2010, with Supervisor Maguire to attend. Secretary Klinepeter will be the alternate.

Fireworks Permit Request

A request for a letter granting Mr. Lynn Harbold permission to present a fireworks display was granted by unanimous approval of a Holman/Novinger motion, so long as he complies with all state laws.

Tax Assessments

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Chairman Holman encouraged all Township landowners to carefully review their new tax assessments from the County, as many people have seen some large increases. He encouraged anyone who thinks their assessment is unusually large to file an appeal with the county, and if need be, get an appraisal to present to the county.

ADJOURNMENT

With no further business to be conducted, and upon a Holman/Novinger motion, the PTS voted unanimously to adjourn at 9:15 p.m.

Respectfully Submitted,

Christine Shaffer, Recording Secretary