

**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 Brian Maguire, Supervisor

Minutes of April 27, 2011

The Penn Township Board of Supervisors (PTS) met on Wednesday, April 27, 2011 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), Police Chief Paul Sheaffer, and Christine Shaffer (Treasurer). Chairman Henry 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.

EXECUTIVE SESSION

Chairman Holman announced that there had been an Executive Session of the PTS held on April 21, 2011 at 2:30 pm to discuss financial matters.

VISITORS

Robert Morris, CPA

Mr. Morris presented the 2010 Audit to the Board. He was pleased to announce that there were no additional comments beyond those that had been submitted with the draft copy. Mr. Brad DiPaolo, an elected Auditor for the Township, asked if there was a way that the results could be received any earlier than they were this year, and Mr. Morris replied that there were some delays in receiving back confirmations that they had sent out. Upon unanimous approval of a Holman/Novinger motion, the 2010 Audit was accepted.

PSP Supervisor Edward Lloyd

PSP Supervisor Lloyd introduced himself and presented the Pennsylvania State Police report for incidents responded to within the Township for the period of March 27, 2011-April 25, 2011. Trooper Lloyd went on to summarize those calls. Chairman Holman asked Trooper Lloyd for feedback regarding cooperation between the PSP and the Township Police, and was informed that the two departments worked well together.

Ron Baker, DAGSA

Mr. Baker, on behalf of Duncannon Area Girls Softball Association, asked the PTS for permission to have an additional portable restroom brought in for a Softball tournament being Held the weekend of April 30-May 1, 2011. He was given permission by the Board.

Kevin Bissonnette, Duncannon Fire Company

Mr. Bissonnette presented the Duncannon Fire Company 2010 Audit to the Board, and briefly explained the Audit.

Lynn Harbold

Mr. Harbold asked Solicitor Wagner if there had been any decision rendered in the litigation with Perdix Fire Company. Solicitor Wagner replied that there had been a decision rendered on March 31, 2011 that sustained some of the Township's objections. The Fire Company would have 20 days to

MINUTES OF APRIL 27, 2011

Page 2 of 7

upgrade their complaint. Mr. Harbold then asked whether the continued legal actions would be costing the Township financially, and was told that it was hoped not.

David Snyder

Mr. Snyder came to comment about the drainage problems on Burley Rd. and Schoolhouse Rd. He was concerned about the damage being done to the roads, and properties, and all the storm debris. Chairman Holman replied that he had been out there that morning to review the area, as he has been doing frequently due to the poor weather, and would be out to discuss the possible solutions with Mr. Snyder and his neighbors.

Robert Harbold

Mr. Harbold had 2 concerns to bring before the Board. First, he has a drainage issue along Firehouse Rd, and wished to know if it would be ok for him to replace the existing 4 inch pipe at the edge of his driveway with a larger 6 inch pipe, to allow for better drainage of stormwater. Chairman Holman said that he will be down to evaluate the area and see if that would be OK. Second, Mr. Harbold stated that a letter had been received about a Perdix Fire Company sign that was attached to a telephone pole. He was looking for clarification on the complaint, as there were other Duncannon Fire Company signs that were also on Display. Mr. Harbold was informed that it wasn't the sign itself that was in violation, but the U-bolt that was attaching it to the pole. If the sign were to be leaned against the pole, it would be permissible, but it cannot be physically attached to the pole.

Kraig Nace, Duncannon EMS

Mr. Nace thanked the community for their support, and came to ask the PTS for specific action in regards to a letter from the Perry County Emergency Management Agency. The letter requests the Townships preference for order of response for Advanced Life Support providers. Mr. Nace asked that the Township keep with the current order of ALS responders, with West Shore EMS being the primary responder. He stated that The Duncannon EMS already has a good working relationship with West Shore EMS, they have an excellent level of service, and the existing subscription and billing programs that the Duncannon EMS has in place include service by West Shore EMS. In closing, Mr. Nace informed the Board that the Duncannon EMS will have their 990 tax return available for review at the end of May.

Jeremy Fuller

Mr. Fuller thanked the Highway crew for the cleanup work along Mountain St. On behalf of the Penn Township Citizen's Group, he presented the latest questions that have been presented to them. These included status on several previous items from PTS meetings that were tabled, PTMA delinquency issues and their effect on sewer/water rates, along with a management-related question about the PTMA. It was also asked if the contents of reports could be read aloud during the course of meetings. He asked if the responses could be emailed to the PTCG.

Brent Hilbish

Mr. Hilbish came to voice a concern about a drainage issue along Burley Rd. Chairman Holman stated that he was aware of the issue, and its history, but nothing could be done until the weather was more cooperative.

MINUTES

Upon approval of a Novinger/Maguire motion, minutes for the March 30, 2011 PTS meeting were approved. Chairman Holman abstained.

MINUTES OF APRIL 27, 2011

Page 3 of 7

INVOICES AND EXPENDITURES

After due consideration, and upon a Novinger/Holman motion, the PTS voted to approve payment of checks 23427 to 23490 from the PLGIT General Account in the amount of \$73,352.36, ACH transfers from the Orrstown Bank General Account in the amount of \$46,525.28. Checks 1289 through 1294 from the Orrstown Bank PTPRB Checking Account for a total of \$475.00 were also approved. Treasurer Shaffer informed the Board that the first installment of \$35,000 towards the annual Fire company donation had been prepared for Duncannon Fire Company.

TREASURER'S REPORT

Upon approval of a Novinger/Maguire motion, the Treasurer's Report was accepted, subject to audit. Treasurer Shaffer reported that the Township received dividends from the MRM Trust in the amount of \$8555.96 for Workers Compensation and \$1281.59 for SIR. Also, the 2011 Liquid Fuels Tax fund payment in the amount of \$101590.25, and Turnback payment had also been received in the amount of \$7800. Finally a transfer of \$35,000 had been made from Orrstown Bank to PLGIT to cover the Duncannon Fire Company Donation.

HIGHWAY DEPARTMENT REPORT

Chairman Holman apologized for not being in attendance at the March 30, 2011 PTS meeting due to circumstances beyond his control.

2011 Paving Project

The following companies submitted bids for the 2011 Paving Project:

| Company | Total Price |
|---------------------------------------------|--------------|
| Pennsy Supply, Hummelstown, PA | \$172,391.53 |
| G.E. Charles Excavating, Port Trevorton, PA | \$169,538.00 |
| Eastern Industries, Winfield, PA | \$153,931.00 |
| Handwerk, Hummelstown, PA | \$144,926.52 |
| Wilson Paving, Carlisle, PA | \$161,400.80 |
| Glenn Hawbaker, Inc., State College, PA | \$189,624.50 |
| Mid-State Paving, Paxtonville, PA | \$194,660.50 |
| Jay Fulkroad & Sons, McAlisterville, PA | \$162,152.77 |

Upon unanimous approval of a Novinger/Maguire motion, the bid was awarded to Handwerk for a cost of \$144,926.52.

Other Notes

The shoulders along YMCA and Barrick Drives will be postponed until the weather improves. Storm damage repairs for Burley Rd., Linton Hill Rd., a culvert under Watts Dr., and a retaining wall issue along Peewee La. are also scheduled for work as weather improves. Cove Rd. will be closed for a day after the end of the school year for repair of a culvert. Chairman Holman is scheduled to meet with Duncannon Borough officials to discuss drainage issues along Muhlenberg Dr. and North Lincoln St.

Chairman Holman commented that the Township trucks that have been seen entering and leaving his property are there with his permission to pick up materials and equipment that he allows the Township access to if needed. These include his flatbed truck, trailer, welder, generator, and backhoe if necessary. Also included are his stockpiles of pipe, steel, and angle iron. The Highway crew has been given clear instructions on what they may access and where on the property they are allowed to access. He also stated that during winter plowing, he does not give permission for his property to be

MINUTES OF APRIL 27, 2011

Page 4 of 7

used as a turnaround, however he understands that they often have no other choice but to do so anyway, or back up a long distance to another intersecting road.

PENN TOWNSHIP PLANNING COMMISSION (PTPC) REPORT

ACD Realty

ACD Realty is submitting an HOP application. The Township has the right to submit a letter stating any concerns or comments regarding this application. The PTPC looked at the area and came up with their concerns and comments. A draft of this letter has been presented to the Board for their review and approval. Chairman Holman made some comments in regards to this area, with the changes that could arise from a new business versus the current traffic situation. He felt that a turning lane would be beneficial to the area, but saw "no difference to the conditions later in this area than what they are now." Upon a Holman/Novinger motion, the secretary was directed to send the letter.

Warden Property

Upon unanimous approval of a Holman/Novinger motion, a Time Extension was granted on the Warden Property Subdivision while utility easements are being pursued. The Extension is good until July 27, 2011.

ZONING OFFICER (ZO) REPORT

The Zoning Officer report was accepted without comment.

SEWAGE ENFORCEMENT OFFICER (SEO) REPORT

The Sewage Enforcement Officer's report was accepted without comment.

PENN TOWNSHIP PARK AND RECREATION BOARD (PTPRB) REPORT

A grant resolution was approved for signature with the passage of a Holman/Novinger motion. This grant is being pursued to create an exercise trail. The Parks and Recreation Board also submitted their report for the month.

PENN TOWNSHIP MUNICIPAL AUTHORITY (AUTHORITY)

A proposal from Wm. F. Hill and Assoc. Inc. was forwarded from the PTMA to the PTS for the engineering design of the new water storage tank and treatment facilities for the Sunshine Hills Water Project. This included a Scope of Services, Terms, and Construction Cost Opinion.

SECRETARY REPORT

Tax Collector Letter

Tax Collector Hamilton's request to charge escrow companies for unpaid tax information was discussed with Peg Bolton, Perry County Treasurer, and Ms. Bolton agreed that Ms. Hamilton has the right to charge a nominal fee to cover the cost of supplies. Upon passage of a Holman/Novinger motion, the secretary was directed to draft a resolution.

Building Permit Ordinance Change

The authorization to advertise the proposed changes to the Building Permit Ordinance was tabled with the passage of a Maguire/Holman motion.

PSATS Pension Trusts

PSATS has requested direction on how we would like out pension plan funds invested. Upon the advice of the Township Solicitor and with approval of a Maguire/Holman motion, it was decided to go

MINUTES OF APRIL 27, 2011

Page 5 of 7

with the recommended investment for the Non Uniform Pension. Passage of a Novinger/Holman motion also approved the recommended investment of the Uniform Pension

Statement of Support

During the PSATS State Convention, a Statement of Support for the National Guard and Reserve was passed out to the attending Township representatives. It states that as an employer, the Township supports the volunteer efforts of those employees who serve the County and the commitment that requires. It is not a binding contract. Upon unanimous approval of a Holman/Novinger motion, the Board voted to sign the statement.

ENGINEER REPORT

Max Shradley presented the Engineers Report, with the following notes:

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

There were no changes from last month.

Fritz Drive

There was no action taken this month.

POLICE REPORT

Training

Upon the passage of a Holman/Novinger motion, the PTS approved the VASCAR training for Patrolman Shane McMillian at a cost of \$290.

Community Day

Chief Sheaffer reported that there was a good turnout for fingerprinting at the Shermanata Grange Community Day.

Duncannon Borough Police Discussion

Chairman Holman reported the latest information on discussions with the Duncannon Borough regarding police coverage. The concept of a contracted service has been suggested, with provisions for a quarterly review, and equipment. Currently, each side is working on a draft for legal review. After the drafts are reviewed, then the proposals would be presented for public review and comment. The proposal could be of financial benefit to the Township. These discussions have also put the purchasing of other equipment for the Township police on hold.

Room Rental

A possible tenant has been reported for Room 4, However, due to the lack of certainty on this tenant, passage of a Holman/Novinger motion approved the advertisement of this room for rental. If there is no tenant, the room will be considered for use by the police department.

SOLICITOR REPORT

Solicitor Wagner commented on the proposed police coverage for Duncannon Borough. Based on his previous experience, it was his opinion that this idea was worth consideration, as it could be cost

MINUTES OF APRIL 27, 2011

Page 6 of 7

effective for both municipalities. The talks are still in the beginning stages, with many further discussions to follow.

His other comments regarded transparency in government, and the Right-to-Know laws, and the earlier request for reports to be read in full during a meeting. The reading of each report does show transparency, however, it becomes so time-consuming that there would be great difficulty in getting anyone to attend meetings that would last until the early morning hours. That would also act to discourage service to the Township. Ms. Nancy Valdez stated that the question came from a citizen, not the Penn Township Citizen's Group. She wanted to know how soon before a meeting was the agenda posted. and if it was available online. She was informed that a draft agenda was available the Friday prior to the PTS meeting, and the posting of that agenda online was subject to the webmaster's schedule. Ms. Vladez then commented that the website could use some improvements.

Vice-Chairman Novinger then commented on the earlier questions about the PTMA, and stated that yes rates could be lower if everyone paid their sewer bills on time, and why those people did not do so was unknown. The collection methods currently in use by the PTMA could be discussed at the PTMA meeting, and visitors to that meeting are welcome. However, the PTMA management cannot force people into paying a bill. Chairman Holman reminded those present that at one point, rates were headed to be much worse than they currently are.

BUILDING, ZONING, DRIVEWAY, AND SIGN PERMIT REPORT

The March 2011 Permit Reports were reviewed and accepted without comment.

CORRESPONDENCE

Tri County Regional Planning Commission

A letter from the Tri County Regional Planning Commission was forwarded onto the PTPC with the passage of a Holman/Novinger motion. The letter includes information on the Regional Connections Grant Program.

PLGIT Proxy

The passage of a Novinger/Holman motion approved the signing of a proxy for the PLGIT election of Trustees.

Greater Harrisburg Assoc. of Realtors Breakfast

Supervisor Maguire will attend the Greater Harrisburg Assoc. of Realtors Municipal Officials Breakfast on Wednesday, June 15, 2011 on behalf of the Township if his schedule permits.

Perry County Emergency Management Agency

Approval of a Holman/Novinger motion decided that there will be no change in the current order of response of Advanced Life Support Services. This is in response to a letter received from the Perry County Emergency Management letter requesting the Township's preferred order of response for ALS providers.

OLD BUSINESS

Secretary Klinepeter was directed to send out a request for proposal for the auditing of Township records for a one or three year contract by the approval of a Holman/Novinger motion.

COMMENTS

Chairman Holman commented on the Marcellus Shale Natural Gas extraction that has been occurring in the northern part of the state. he stated that there are Marcellus shale deposits below the

MINUTES OF APRIL 27, 2011

Page 7 of 7

Township, and eventually, the development of those extraction could head this direction, and some inquiries have already been made locally.

ADJOURNMENT

With no further business to be conducted, and upon a Holman/Novinger motion, the PTS voted unanimously to adjourn at 8:45 p.m.

Respectfully Submitted,
Christine Shaffer, Recording Secretary