

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

Henry A. Holman, Jr., Chairman

Lucinda (CeCe) Novinger, Vice-Chairman

Brian Maguire, Supervisor

**Minutes of April 24, 2013**

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The Penn Township Board of Supervisors (PTS) met on Wednesday, April 24, 2013 at 7 pm in the Municipal Building. Chairman Henry Holman, Jr., Vice-Chairman CeCe Novinger, and Supervisor Brian Maguire were in attendance. Other personnel present were Helen Klinepeter (Secretary), Max Shradley (Engineer), Police Chief Richard Pickles, P. Richard Wagner (Solicitor), 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**

**Nancy Valdez**

Ms. Valdez presented flyers from the Harrisburg Area Humane Society. The flyers provide information on low cost vaccinations and spay/neuter assistance for residents in the community. Copies will be available at the Township office.

**Kraig Nace, Duncannon EMS**

Mr. Nace announced that the 2013-2014 subscription flyers were mailed out to residents in their service area. He noted that as requested, a discount rate was offered to residents of Penn and Wheatfield Townships in consideration of the donations provided by those municipalities.

Chairman Holman thanked the EMS for their offer to clean up an area along Sawmill Rd. where cat litter was being illegally disposed, and would be glad to work with the volunteers to show where the clean-up is needed. The Chairman then asked Solicitor Wagner to make sure there would be no liability issues for the volunteers, and was told no. It was suggested to have work area signs displayed during the clean-up to alert oncoming traffic.

**Stanley Mutzabaugh**

Mr. Mutzabaugh stated that the Meet-the-Candidates night will be cancelled due to scheduling conflicts with one of the participants.

**Jim Fuller, Wheatfield Township**

Mr. Fuller, Chairman of Wheatfield Township asked if the Board had any opinion of the recent purchase of a Chief's vehicle by the Duncannon Fire Company. He was concerned over the current debt that the Fire Company had incurred with the purchase of a new rescue truck, and the appropriateness of another major purchase. Chairman Holman replied that their expenditures were an internal matter, and Penn Township had a letter signed to designate how the Township's donations are to be allocated. Mr. Gene Hollenbaugh asked if the Township receives a copy of the Fire Company's 990 tax paperwork, and was told that paperwork is provided to us annually. Ms. Lisa Dorman asked if the Fire Company has used any of the diesel fuel allotment from the Township, and was told that to date they have not, but there is no deadline.

**INVOICES AND EXPENDITURES**

A transfer of \$2,681.00 was made from the General Fund to the Capital Reserve Fund for funds from a police reimbursement Grant.

With unanimous approval of a Novinger/Holman motion, the PTS voted to approve payment of checks 26228 through 26297 in the amount of \$47,650.69, and the police reimbursement grant

## MINUTES OF APRIL 24, 2013

Page 2 of 6

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transfer to the Capital Reserve account of \$2,681.00 from the PLGIT general account. ACH payments and a transfer of \$75,000.00 to the PLGIT General Fund Account, totaling the amount of \$89,653.71 from the Orrstown Bank General Account, checks 1447 to 1456 from the Orrstown Bank PTPRB Checking Account for a total of \$2,126.32, check 184 in the amount of \$2,681.00 from the Capital Reserve, and check 223 in the amount of \$1,966.97 from the Liquid Fuels account were also approved.

### TREASURER'S REPORT

The Treasurer's Report was accepted upon the passage of a Novinger/Holman motion, subject to audit.

### MINUTES

Minutes for the March 23, 2013 and March 27, 2013 PTS meetings were approved with a Novinger/Maguire motion.

### HIGHWAY REPORT

#### 2013 Highway Bids

Bids for the Highway department were awarded as follows:

- **2A Stone:** Hempt Bros., Inc. Camp Hill, PA. \$21,500.00 Holman/Maguire motion, unanimously approved.
- **#8 AASHTO:** National Limestone Quarry, Middleburg, PA. Alternate #1 (with delivery) \$2,650.00 Holman/Novinger motion, unanimously approved.
- **E3 Oil:** Specialty Emulsions, Inc., York, PA. \$15,610.00 Novinger/Maguire, unanimously approved.
- **Butchershop Rd. :** Alternate #3, Rt. 849 to Duncannon Borough Line. Hammaker East, Ltd., Fayetteville, PA. \$34,505.00 Holman/Novinger motion, unanimously approved.

#### Butchershop Rd. Escalator Clause Resolution

A Holman/Novinger motion was unanimously approved for an escalator clause for bituminous material to be included and signed as part of the Butchershop Rd. proposal.

#### Notes

- All of the winter equipment has now been removed from the trucks, maintained, and put away for storage.
- Culverts and basins in the Township have been the focus of much overdue attention. Improperly connected pipes have been repaired and sealed, and surrounding washouts and small sinkholes have been refilled in 36 of 37 storm basins, with the last to be completed shortly. The basins have also been cleaned of debris,
- Brush along Hoffman Rd. and Faculty Rd. has been cleaned up, and the department has begun preparations for mowing season.
- Line painting projects are being planned for 2013, and will include Butchershop Rd. after the seal-coats are completed.
- Repairs to Butchershop Rd. have been underway in preparation for tar and chip.

#### Market St. Bridge Project

Chairman Holman reported on a meeting he attended with Duncannon Borough, PennDOT, and local emergency services regarding the bridge replacement project on S. Market St. Plans were presented for the detours, and PennDOT stated that the project may interfere with some school bus traffic. There will be another meeting to discuss that interference with Susquenita School District. To lessen the impact on local roads in both the Borough and Township, detours are proposed to involve Routes 11/15, 22/322, and 849, and a request for funding for additional police coverage is

**MINUTES OF APRIL 24, 2013**

Page 3 of 6

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being considered by PennDOT during working hours to help with any issues that may arise. The chairman will continue to report on new details for the project as they are presented.

In response to his question about damage on Shermanata Dr., Mr. Nace was told that the Highway crew was aware of it and repairs will be made as weather allows.

**PENN TOWNSHIP PLANNING COMMISSION**

**Gary Shaffer Waiver**

Mr. Shaffer has requested that the requirement of the Land Development Plan under the Subdivision and Land Development Ordinance be waived. He is seeking to transfer a small piece of his property to his neighbor to square off the properties. Upon recommendation of the PTPC, and unanimous approval of a Holman/Novinger motion, his request was granted. The PTPC recommendation of review of the finalized deeds by the Township solicitor was deemed unnecessary by Mr. Wagner.

**Perdix Fire Company Waiver**

The Perdix Fire Company has requested the requirement of the Land Development Plan under the Subdivision and Land Development Ordinance be waived. Upon recommendation of the PTPC, and unanimous approval of a Maguire/Holman motion, the request was denied. The PTPC listed that a proposed use of the property required a conditional use hearing, and sewer and additional uses by more than one tenant or occupant on the property as concerns. Mr. Bob Johnson asked what he should do next, He was told he could file for a conditional use hearing for the sale of construction equipment, as suggested by the Zoning officer in his denial. Discussion with the audience followed about SALDO (Subdivision and Land Development Ordinance) issues on the property.

**Stone Mill Estates Extension**

A one month extension was granted for the Stone Mill Estates plan, until May 29, 2013 with the approval of a Holman/Novinger motion.

**ZONING REPORT**

The Zoning Officer's report was accepted.

**McKenney Variance**

After review of the PTPC recommendation, and upon a Holman/Novinger motion, the PTS voted unanimously not to be a party to the McKenney Variance hearing on May 9, 2013.

**SEWAGE ENFORCEMENT OFFICER'S REPORT (SEO)**

There was nothing to report.

**PARK AND RECREATION BOARD REPORT (PTPRB)**

The PTPRB report was presented to the Board. Chairwoman Karen Tilkens thanked the Board for their approval of the \$100 Donation to the Duncannon Fire Company on behalf of the Parks and Recreation Board, and thanked the Highway crew for all their help with maintenance of the park equipment. She reported that a Senior Citizens Spaghetti Dinner will be on May 3, 2013 from 11 am until 2 pm. The next youth night will be June 22, 2013 from 6 pm until 9 pm. An application for use of the Pavilion and Basketball court for a private fundraiser was received. Attempts to contact the applicant for further details have been unsuccessful so far. Finally, Mrs. Tilkens reported that the PTPRB is planning a Community music night. As requested by the PTS, she will follow up with more details.

**MINUTES OF APRIL 24, 2013**

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**PENN TOWNSHIP MUNICIPAL AUTHORITY**

The PTMA report was presented to the Board. It was noted that delinquency rates fell slightly.

**Petersburg Commons No Parking Ordinance**

Upon unanimous approval of a Novinger/Holman motion, ordinance 2013-03, a no parking ordinance for a designated area of Petersburg La. was passed.

**Resignation**

A Holman/Novinger motion was unanimously approved accepting the resignation of Scott Cromleigh from the PTMA.

**SECRETARY'S REPORT**

**Members 1<sup>st</sup> Letter of Credit**

The PTS directed Engineer Shradley to do a final review of the Members 1<sup>st</sup> property on Business Campus Way for completion in order to release their letter of credit.

**Act 44**

A Holman/Novinger motion was approved to advertise a resolution regarding the proper adoption of procedures for the compliance of Act 44. This Act covers the purchase or provision of professional services, including investment, legal, actuarial, and other consulting/administrative services.

The secretary also reported that dividend checks have been received from MRM for both the workers compensation trust and property and liability trust. Also, minutes from the most recent Capital Tax Collection Bureau meeting were provided to the Board.

**ENGINEER'S REPORT**

Mr. Shradley presented the Engineer's Report to the Board. The most recent email correspondence from Penonni about the Traffic Signal installation on Route 274 has been reviewed, and a copy of comments was provided to the Board. Supervisor Maguire will take those comments to the next meeting with the contractor on April 25, 2013.

**POLICE REPORT**

Chief Pickles presented the March 2013 Police report to the Board. He commented that Hoffman Ford just completed service to one of the SUV's under warranty. PennDOT has approved the Memorial Day Parade permit for the American Legion. The chief stated that one officer has left the department and two others have reduced their hours due to obtaining other employment. A Novinger/Holman motion was approved to grant conditional offers of employment to four new candidates: Melinda Lancaster, Sean Stake, Jason Cleck, and Wesley Feduke. The offers are conditional on receipt of MPOEC Certification and background checks. In response to a question about advertising from the audience, the chief stated that these four people were selected from applications that they already had on file, and new or pending graduates from the local academy.

**SOLICITOR REPORT**

On a personal note, Solicitor Wagner thanked the Board for the flowers and sympathies on the recent passing of his father. He forwarded a letter to the Board about the passing of Act 187 of

**MINUTES OF APRIL 24, 2013**

Page 5 of 6

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2012. This act provides that when a court of competent jurisdiction determines that an ordinance adopted by a municipality, as it relates to motor vehicle operations **is invalid**, the ordinance in question must be repealed. He did not feel that the Township has any ordinances that would be affected by this act. He then asked the Board to clarify a motion from the March 27, 2013 meeting about Mid Penn Scrap Resources. In the original motion, the Board did not clearly direct the solicitor to follow up with a letter of injunction after the final 5-day notice expired. A Holman/Novinger motion was unanimously approved directing the solicitor to issue the injunction letter if the 5-day notice had not been complied with.

Regarding questions about vesting of the Police officers and Act 600 compliance, Mr. Wagner stated that he would forward clarification about the language so our ordinance can be properly amended.

Chairman Holman then asked if anyone had any issues to bring up while the solicitor was still present. Mr. Stan Mutzabaugh asked about grants, and extra police coverage during the replacement of the Market St. Bridge. At the most recent project meeting, PennDOT did indicate that if their funds were available, the Police Department expenses for additional staffing during the project could be covered. Chief Pickles noted that with the detours that would be involved, the additional patrols would be needed. It was also mentioned that the Duncannon EMS has approached Duncannon Borough about stationing an ambulance within the borough, along with an electrical hook-up so that response times within the affected area can be kept to a minimum.

In response to an article in the Duncannon Record, Chairman Holman commented about an ongoing discussion with a sewer hook-up for Perdix Fire Company's property along State Rd. He noted that in the Township's Zoning Ordinance, section 1303, it does state that "in the interest of protecting the public health, safety and welfare, every premise, used in whole or in part for dwelling, commercial or recreational business, or industrial purposes shall be provided with both a safe and sanitary means of collection and disposal of commercial and industrial waste. Such facilities shall conform to the minimum requirements set forth by the Pennsylvania Department of Environmental Protection." There was precedent that when public sewer was made available along Main St. in lower Duncannon, houses with outdoor facilities were made to install toilet facilities that connected to the sewer system. The chairman offered his services to help install a bathroom on the property, and the PTMA has mandated the installation of a grinder pump on the property. The Chairman also stated that he was dismayed about a comment that followed the April 2013 PTS meeting. Mr. Mutzabaugh thanked the Record for their involvement in the issue, as the timing of the article and the agreement being reached suggested that it helped bring the issue to a close. Chairman Holman responded that the issue never should have come back to the Supervisors, as the PTS is required to send the initial connection notice and the PTMA controls the specifics of the actual project.

Questions were then answered about the disposal of waste from a travel trailer at Mid Penn Scrap Resources, and sanitary facilities at Appalachian Auto Sales.

Chairman Holman then reported about his attendance at the final Perry County Economic Development meeting. The meeting centered around tourism and retail development, and future steps. Lots of ideas were shared, as well as a discussion of the region's strengths and weaknesses. In response to Mr. Brian Peters' comments about other communities where he had lived, the Chairman researched those areas to see if any of their implementations could be used here, and unfortunately, not many of them could, as the areas were either too different in nature, or the programs too cost prohibitive. However the concept of cooperation between area municipalities was being pursued. Mr. Gerner asked about the next steps, and the Chairman responded that much of that centered on support of the local business. Much of that was due to a county-wide unwillingness by property owners to sell their land. Finally, he noted that focus groups would follow, and he will remain a participant and keep the Township posted on any future discussions.

**MINUTES OF APRIL 24, 2013**

Page 6 of 6

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Before his departure, the Solicitor stated that he was waiving his most recent fee, and asked that the funds of \$187.50 be donated instead to the Logania Church of God, which had recently suffered a devastating fire.

**CORRESPONDENCE**

**PLGIT Proxy**

A Holman/Novinger motion was approved to exercise the proxy at the next PLGIT annual meeting of shareholders, on May 17, 2013.

**Perry Human Services**

Perry Human Services will be hosting four Town Hall meetings to discuss the recent PA Youth Survey on Drug and Alcohol Use. The meeting for Susquenita School District will be held May 7, 2013 at the Duncannon Borough Office, 428 N. High St., Duncannon, PA 17020 at 7 p.m.

**BUILDING, ZONING, DRIVEWAY AND SIGN PERMIT REPORT**

The March 2013 permit reports were presented and accepted without comment.

**ADJOURNMENT**

With no further business to be conducted, and upon a Holman/Novinger motion, the PTS voted unanimously to adjourn at 8:48 p.m.

Respectfully Submitted,

Christine Shaffer  
Recording Secretary