

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 JULY 31, 2013

The Penn Township Board of Supervisors (PTS) met on Wednesday, July 31, 2013 at 7:00 p.m. 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), Police Captain Cliff Karlsen, and P. Richard Wagner (Solicitor). 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

John Murphy, Alpha Consulting Engineers - Mr. Murphy offered that he is requesting guidance on three Alteration of Requirements (AOR) for the Warden Properties (Stone Mill Estate). The first AOR deals for Section 507.E.8 – Minimum Detention Basin Slope. The Ordinance requires a 2% detention basin bottom slope. The DEP regulation for the NPDES permit requires a flatter bottom. The second AOR is for Section 401.D.1.a - Maximum Road Slope for Collector Street. Developer is requesting an AOR for a maximum grade of ten (10) percent in order to minimize the disturbance of existing prohibitive and precautionary steep slopes. The Zoning Hearing Board has granted a AOR for this percentage. The third and most important AOR is for Section 401.A.5 – Use of Private Streets for access to more than 3 lots. Developer is proposing private streets with more than three lots. Mr. Murphy continued that the Planning Commission would look favorably on the third AOR if the language was put in charge of the homeowner’s association and not the individual lot owners.

Chairman Holman offered that he went to the Planning Commission and offered that the Township had no interest in taking over the roads due to the stormwater maintenance and road design. He also made that statement at a PTS meeting. Mr. Murphy asked that if the roads were taken over by the homeowners association and the Township Engineer and Solicitor agreed to the verbiage would the PTS grant the AOR. Chairman Holman offered that the Planning Commission expected the new verbiage to return to the Planning Commission. Mr. Murphy asked, if the homeowners association takes over the streets and the verbiage is changed, would the Township grant the AOR. Chairman Holman asked if the Planning Commission has seen the new language. Mr. Murphy replied in the negative. Solicitor offered that he is hearing the PTS has a favorable response to the concept that is being proposed. The AOR has to be placed in writing and reviewed before a decision can be made. A review of the first two AOR’s revealed a favorable view.

Chairman Holman offered that the Planning Commission is concerned with liability and wanted to know which agreement(s) should be in place for the granting of the AOR. Solicitor offered that a note needed to be placed on the plan and, an agreement recorded alerting all potential residents that the roads are private and what their responsibilities would be. Chairman Holman offered that the Planning Commission was concerned about setting a precedent. Solicitor stated that the matter is a case by case decision.

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Upon a Holman/Novinger motion, the PTS voted unanimously to accept the Time Extension until August 28, 2013, for the Warden Property Preliminary Subdivision and Land Development Plan (Stone Mill Estates), File # 2005-06.

Denise Hilbish, 7 Burley Road – Mrs. Hilbish asked the PTS to consider implementing regulations for the prevention of high grass and weeds on private properties. She offered that she has found ordinances in Penn Township, Snyder County. Solicitor suggested that the Secretary research with the surrounding municipalities and PSATS for policies. Chairman Holman offered he would talk to the neighbors. Mr. Barry Shaffer offered that bamboo is also a problem.

Nicholas Sedor – Mr. Sedor offered that he has put in a request for community service and an application for work. Chairman Holman explained the process for community service and the liability problems. Chairman Holman offered that he does not have 66 hours for community service and therefore would have to decline.

Stanley Mutzabaugh - Mr. Mutzabaugh asked the status of the Comprehensive Plan. He was told that a hearing date would be set tonight. He then asked if there was any public comment allowed on the Comprehensive Plan. He was reminded that the Planning Commission meetings were open to the public and that the only person to attend regularly was Mr. Gerner. Chairman Holman offered that there has to be a public hearing before the Comprehensive Plan could be adopted.

Andrew Brown, Railroad Street – Mr. Brown offered that he had submitted a nuisance complaint against his neighbor whose house had burnt down. He offered that nothing has been done and he called the Township for an update and still nothing has been done. Captain Karlsen offered that the place was placarded and that the owners have received a demolition permit that expires in September 2013. If the demolition is not completed by then, there are enforcement measures that can be undertaken.

Mr. Brown offered that next item is the end of Firehouse Road which is a private dirt road. He has three deeds that state Wayne Ave. He wished to know where Wayne Ave is located. Chairman Holman explained liquid fuels funds in relation to Firehouse Road. Mr. Brown offered that he feels that the Township should maintain Wayne Ave. Solicitor explained that there are developments laid out throughout the County that have streets named on the development, but the streets are never developed or dedicated to the municipalities to take over. Mr. Brown wanted to know how many people had to live on a street before it gets paved. Solicitor offered that is not the issue. The issue is who owns the ground the road is on. If the road was never dedicated the Township, it does not have the authority to maintain the road. If a road is to be dedicated to the Township, then the road would have to be in compliance with the township ordinance before dedication.

Scott Marsteller – Mr. Marsteller wanted to apprise the Township of the situation with their neighbor, Ms. Mona Klobe. He explained the harassment his business and employees are subjected to.

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Sean Shultz – Mr. Shultz offered that he is Garry Raub’s solicitor and asked if was possible to receive the specific language for the Stone Mill Estates agreements and AOR. Solicitor said that the requested information will be sent to him.

Terri Aunspach – Ms. Aunspach thanked the Township for supporting the band concession stand and wanted to let the PTS know that she thinks that the road crew does a great job of keeping the roads maintained

Lee Wright – Mr. Wright asked if the Emergency Service Coordinator is still around. Chairman Holman offered that Mr. Soltis is still around if we need him.

Ashley Leiss Fox 43 News – Ms. Leiss asked if the PTS would comment on Chief Pickle’s employment with the department and the reasons behind that decision. Chairman Holman referred the matter to the Solicitor for comment. Solicitor offered that at this juncture it is a personnel matter and will be handled in executive session. As of this moment Chief Pickles is in the department and on duty. The PTS has taken no action. We are aware that there is a hearing in September, and until that hearing is held, there is a concern that anything done adversely is premature. The hearing is designed to determine the integrity of the allegations, therefore any action is premature.

INVOICES AND EXPENDITURES

With unanimous approval of a Novinger/Maguire motion, the PTS voted to approve payment from PLIGIT General Account of checks 26467 through 26535 in the amount of \$36,031.57, from the Orrstown Bank General Account the ACH transfers in the amount of 51,650.04. Checks 1468 to 1477 from the Orrstown Bank PTPRB Checking Account for a total of \$1,095.60 were also approved.

CD Transfer – 1 Capital Reserve CD matures on 8/5/13. The best rate is Marysville Bank and FNB Mifflintown. With unanimous approval of a Holman/Novinger motion, the PTS voted to move the CD to Marysville Bank.

TREASURER’S REPORT

The Secretary pointed out an error on the June Treasurer Report. The corrected Treasurer’s Report was accepted upon the passage of a Novinger/Maguire motion, subject to audit.

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

MINUTES

Minutes for the June 26, 2013 PTS meeting were approved with a Novinger/Maguire motion.

HIGHWAY REPORT

Notes:

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- The road crew has been cutting poison hemlock and will be checking into a spraying program next year.
- The drainage ditch on Sawmill Road has been fixed. We replaced the culvert and poured the headwalls.
- Trees have been trimmed on Watershed Drive and Jefferson Street.
- There are culverts in the Township that are rusted and will need replaced on Watts Road, Allander Drive, and Holman Drive. We are replacing culverts in the worst condition first.
- The contractor for the Butchershop Road Project has not set a date yet.
- The 550 Truck had a hydraulic leak which the road crew repaired.

PENN TOWNSHIP PLANNING COMMISSION (PTPC)

Comprehensive Plan – The consensus of the PTS was to have the Comprehensive Plan Hearing on August 21, 2013 at 7:00 p.m.

ZONING REPORT

The Zoning Officer's report was accepted.

SEWAGE ENFORCEMENT OFFICER'S REPORT (SEO)

Duncannon Lions Club Holding Tank Renewal – With a Holman/Maguire motion, the PTS voted unanimously to renew the Holding Tank Agreement for the Duncannon Lions Club.

The SEO report was accepted.

PARK AND RECREATION BOARD REPORT (PTPRB)

Mrs. Tilkens announced that the senior luncheons have been a success; we started with 5 people and now have 45 people. Mr. Mutzabaugh asked how the luncheons were funded. He asked if there was thought was to go out to the businesses for funding.

Mrs. Tilkens offered that when the Penn Manor Road was closed due to the paving, people were using the park road for access. She wanted to know if this had been done in the past. Chairman Holman offered that when the sewer was constructed in Penn Manor, the park road was used for access.

Chairman Holman offered that Jim Renner is not doing well. He offered that Jim has put a lot of time and effort into the park and would appreciate it if people could stop out and see him or send him a card.

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PENN TOWNSHIP MUNICIPAL AUTHORITY (PTMA)

There was no report.

SECRETARY'S REPORT

Treasurer Applications – Upon a Holman/Novinger motion, the PTS authorized the Secretary to schedule the interviews and to notify the PTS of the date.

Request for Proposals – UCC – Upon a Holman/Novinger motion, the PTS authorized the Secretary to schedule the interviews and to notify the PTS of the date.

Medical Insurance – The medical, dental and vision insurance was reviewed with a 3% savings from Geisinger Insurance. Chairman Holman offered that there are some questions that need to be answered. Upon Holman/Novinger motion, the PTS voted unanimously to accept Geisinger for medical, United Concordia for dental and Davis Vision for vision, if the coverage remains the same after the meeting with our broker.

Fall Clean-up – The PTS confirmed October 17 through 19, 2013 for the Fall Clean-up. Upon a Holman/Novinger motion, the Secretary was approved to advertise.

ENGINEER'S REPORT

The Engineer report was accepted.

POLICE REPORT

Captain Karlsen presented the July 2013 Police Report to the PTS. Captain Karlsen offered that the police force has been 24/7 for a year now. The department will be assisting Duncannon Borough with National Night Out on August 6, 2013.

Mr. Tom Radel asked if there was progress made in the burglary in the cove. Captain Karlsen stated not at this point. Mr. Radel asked questions on procedures at the crime scene.

SOLICITOR REPORT

All matters were taken care of before the meeting.

BUILDING, ZONING, DRIVEWAY AND SIGN PERMIT REPORT

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

CORRESPONDENCE

Central Westmoreland COG – The COG is asking if we would like to join.

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Perry County Conservation District – Local Environmentally Sensitive Maintenance Training Announcement.

Cumberland-Perry County Joint Task Force – The whole task force is scheduled to meet on August 27, 2013 at 9:00 a.m.

Perry County Planning Commission E-mail – Draft amendment of the County Subdivision and Land Development Ordinance for review.

OLD BUSINESS

Capital Tax Collection Bureau – Secretary explained that she received the requested information that the reciprocal agreement is for the Earned Income Tax. The CAPTAX recommends approving the agreement. Upon a Holman/Novinger motion, the PTS voted to support the reciprocal agreement.

Fall Newsletter – Secretary offered that articles for the fall newsletter will be due on August 9, 2013.

NEW BUSINESS

Office Closure – Secretary requested to close the office on August 9, 2013 at noon to take care of personal business and to open late on August 14, 2013 at 10:00 a.m. due to a doctor’s appointment. The PTS granted permission.

Heat Exchanger – Chairman Holman offered that the Township is looking into different types of heating units, as the old units are slowly failing. We also have looked at the cost of propane. Upon a Novinger/Maguire motion, the PTS voted unanimously to allow the continuance of research for the propane cost.

Office Copier – Chairman Holman offered that the office copier is failing and requested to get proposals. Upon a Holman/Novinger motion, the PTS approved requesting proposals.

ADJOURNMENT

With no further business to be conducted, and upon a Holman/Novinger motion, the PTS voted unanimously to adjourn at 8:23 p.m.

Respectfully Submitted,

Helen Klinepeter
Secretary