

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

Henry A. Holman, Jr., Chairman

Brian Maguire, Vice-Chairman

Brian K. Peters, Supervisor

Minutes of April 30, 2014

The Penn Township Board of Supervisors (PTS) met on Wednesday, April 30, 2014, at 7:00 PM in the Municipal Building. Chairman Henry Holman, Jr., Vice-Chairman Brian Maguire, and Supervisor Brian Peters were in attendance. Other personnel present were Helen Klinepeter (Secretary), Police Chief Richard Pickles, Solicitor Richard Wagner, Max Shradley (Engineer) and Elizabeth Goodhart (Treasurer/Recording Secretary). 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.

Due to another commitment, Solicitor Wagner asked that he give his report now so that he may leave. Chairman Holman asked the attendees if they had any questions for the Solicitor.

Andrew Brown

Mr. Brown asked about the demolition of the Taschek property. Chief Pickles stated that an inspector has deemed it to be unfit for human habitation, and we are going out for bids for the demolition. Solicitor Wagner added that he has informed Secretary Klinepeter of the next steps to be taken.

SOLICITOR REPORT

Franchise Agreement

Solicitor Wagner stated this agreement deals with past due charges that we are entitled to. He stated he has reviewed the agreement, and it appears to be in order and can be acted on tonight.

Wireless Ordinance

Solicitor Wagner stated the Wireless Ordinance hearing was held earlier this evening, after being properly advertised. He stated we provided answers to several questions asked by residents in attendance. Solicitor Wagner then stated the ordinance should be advertised for adoption at the next PTS meeting. The stenographer at the hearing will provide the transcript which we will send to the Cohen Group to insure we provided correct answers. Solicitor Wagner stated we want to insure that our understanding of the ordinance is correct.

VISITORS

Erin Shirmer, Robert W. Morris & Company, P.C.

Ms. Shirmer stated the annual audit of the Township's financials was clean. She also stated that since pensions are audited by the Attorney General's office, they are not included in the audit performed by them.

Ms. Shirmer also noted that since Penn Township has oversight of the Penn Township Municipal Authority, their audit is included in the final audit documents.

Ms. Shirmer stated it was a successful audit with no findings.

Stanley Mutzabaugh

Mr. Mutzabaugh stated he read that a municipality should have reserve funds to cover between 18 months to two years of operating expenses. He asked Ms. Shirmer if that is a good idea. She

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stated it could be something that is looked at as part of the audit, but it is not required. Mr. Mutzabaugh stated that the article also said the Township should re-appraise its fixed assets. Ms. Shirmer stated she could not answer his question since that is something that is not included in a financial audit. Chairman Holman stated he also read this article and felt the article was misleading since it was referring to a complete loss of revenue, which is highly unlikely.

With a Maguire/Holman motion, the audit was unanimously accepted.

Brad DiPaolo, Township Auditor

Mr. DiPaolo stated the Township auditors have completed the Tax Collection audit.

CeCe Novinger

Mrs. Novinger stated last year there was discussion about a program offered through the state prison system using low-risk inmates to clean up the roads. The inmates would be supervised, and there would be no cost to the Township. She asked if there has been any more discussion. She stated Schoolhouse Road needs to be cleaned up. Chairman Holman stated that we can use them to clean up the trash this year.

Jim Fickel

Mr. Fickel stated he watches the trains and the placards on them. He asked if the Township has a plan in the event of a train-related disaster.

Byron Worner said the Fire Department would first identify what the train is carrying. They would look for the Norfolk Southern representative, i.e., the Conductor, Engineer, etc. If there is an obvious problem, everyone in the area would be evacuated, working with Police, EMS, Fire, etc. Mr. Worner said that Norfolk Southern has response teams and would take the lead.

Mr. Fickel asked if the Township has a contingency plan. Mr. Worner said we would refer to the Emergency Operations Plan.

Stanley Mutzabaugh

Mr. Mutzabaugh stated that the police pension plan was discussed after the Roadmaster's meeting and asked why it was not discussed at a regular PTS meeting. Chairman Holman stated that any important business that comes up after the last PTS meeting could be discussed, eliminating the need to wait for the next monthly meeting. The police pension was discussed so that it can be approved to advertise for adoption. Secretary Klinepeter described what was discussed during that meeting.

Bob Johnson

Mr. Johnson asked how much money the Fire Department has in their Capital Reserve account. Byron Worner of the Fire Department stated he would have that amount next month after their audit is completed. Mr. Johnson said he understood that any Fire Department purchases made using Capital Reserve funds were required to be approved by the PTS. Mr. Worner said that was not correct. He stated the only stipulation is that it be used for apparatus purchases.

Andrew Brown

Mr. Brown stated he could not contact the Police a few weeks ago. Chief Pickles informed him that he should call the Perry County non-emergency office. He said the State Police did eventually respond.

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Mr. Brown asked when the Taschek property will be demolished. Chairman Holman stated we will be going out for bids for the demolition.

Mr. Brown also asked about the man living in the trailer. Secretary Klinepeter mentioned that Captain Karlsen is working on this issue.

Mr. Brown asked about the status of his complaint related to the Shaffer's trash. Chief Pickles stated he would check into this issue.

Jesse Boyer

Mr. Boyer asked if there is a complete list of Township ordinances available on the website. Secretary Klinepeter stated there is not, but she will print a list for him.

Kraig Nace, Duncannon EMS

Mr. Nace provided copies of the EMS year-end report, as well as a brief review of the report. He then answered a few questions from attendees. He also said the 2014 subscriptions have been mailed.

Mr. Nace mentioned that the mock crash will be held on May 2 at Susquenita High School.

Lee Wright

Mr. Wright asked for details on the changes to the police pension plan. Secretary Klinepeter stated we are required to comply with Act 69. The biggest change is that an employee must now have 20 years of service to collect a pension.

INVOICES AND EXPENDITURES

With unanimous approval of a Peters/Maguire motion, the PTS voted to approve payment of checks 27163 through 27260 in the amount of \$87,014.15 from the PLGIT General Fund Account, ACH payments totaling \$14,294.76 from the Orrstown Bank General Account, transfers from Orrstown General Fund to PLGIT totaling \$125,000.00, a transfer from Orrstown General Fund to Petersburg Commons escrow fund in the amount of \$5.00, PTPRB checks 1514 through 1522 in the amount of \$1,664.12, and a transfer from the Orrstown Bank General Fund to the PTPRB Checking Account for \$1,664.12.

TREASURER'S REPORT

The Treasurer's Report was unanimously approved, subject to audit, upon the passage of a Maguire/Peters motion.

MINUTES

The minutes for the February 26, 2014, PTS meeting, the March 26, 2014, PTS meeting, and the March 29, 2014, Roadmaster's meeting were unanimously approved with a Maguire/Peters motion.

HIGHWAY REPORT

Secretary Klinepeter stated the Handicapped parking space requested at 37 Valley St., has been reviewed and approved by the Police. Upon a Holman/Maguire motion, this request was unanimously approved. The resident must purchase the sign and post, and the Township will then install it.

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The bids were reviewed and awarded as follows:

- E3 oil -- Upon a unanimous Holman/Maguire motion, the bid of \$2.24 per unit was awarded to Specialty Emulsions, Inc.
- Aggregate 2A stone -- Upon a unanimous Holman/Maguire motion, the bid of \$10.25 per unit, which includes delivery, was awarded to Harsco Metals.
- 2014 Paving Project, Alternate A **and** B -- Upon a unanimous Holman/Maguire motion, the bid of \$36,485.00 was awarded to Eastern Industries, Inc.

Chairman Holman then mentioned the other bids that were received for consideration.

Sign Management Policy – Each sign in the Township was documented, including the size, location and type of post, Signs were upgraded as needed. A sign management program must be implemented for replacement of signs. Going forward, as the green signs need to be replaced, they will be replaced with high intensity signs. Secretary Klinepeter noted the policy states we will replace ten signs each year, and others as needed, to comply with the management program. Stanley Mutzabaugh asked about testing of the signs. Chairman Holman stated we do not need to do testing since we replaced most of the signs. Resolution 2014-09 was unanimously adopted with a Maguire/Peters motion.

Traffic Signal As-Built – Chairman Holman stated the traffic light is currently working properly. Mr. Mutzabaugh said he found the light does not always work properly. Supervisor Maguire explained that a car must be in the turn lane five seconds to receive the green arrow. Supervisor Peters stated he observed that the light only works intermittently. Kraig Nace stated the preemption only works intermittently. Chairman Holman said we will have it checked one more time, and he wants to be present when the light is inspected.

Grader – Chairman Holman stated the grader needs several repairs and he cannot find a new master cylinder for it. He would like to put it out for bid. He stated it would be good for parts. If it is not sold, it can be scrapped for cash. Upon a unanimous Holman/Maguire motion, advertisement for bids was approved.

Roadmaster’s Meeting & Chicken BBQ– Chairman Holman thanked Solicitor Wagner and Chief Pickles for their chicken BBQ donations. The road survey included the review of all Township roads. Since this was Supervisor Peters’ first road survey, problem areas were pointed out to give him a better understanding of the issues faced by the highway crew.

Recent rainy-day activities included repair of water heater in the Park & Recreation (P&R) shed, installation of new lavatory sink & new faucet for P&R, replacement of damaged fence post, installation of P&R volley ball net, repair of P&R air compressor, and repair of the tires on the P&R cart. Additional activities included delivery of tree clippings to the community garden at Mutzabaugh’s, repairs to Kinsey Road, and cleaning of gutters/removing brush.

Supervisor Peters shared comments on the road survey. He also mentioned the need to pave Municipal Building Road.

PENN TOWNSHIP PLANNING COMMISSION (PTPC) – Secretary Klinepeter stated the PTPC did meet to discuss the Wireless Ordinance and the Agricultural Security Area, but there are no plans ready for PTS approval.

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ZONING REPORT

Maguire Ford Zoning Hearing Variance Request — they are requesting two variances, one to install new light fixtures, and another not to install planters in the parking lot. The PTPC did not feel that the Township needs to be involved with these. The consensus of the Board was not to be a party to the Hearing.

HIGHWAY REPORT (Continued)

Chairman Holman stated the Township is following up on the bridge project. He stated the plans which we have do not include the supplemental items that were agreed upon related to the bypasses coming into town, painting the white lines, and posting signs. Chief Pickles followed up with the crew today. One item that is in progress is the temporary speed limit signs. Chairman Holman stated if PennDot posts the speed limit signs, the Township may enforce them. The bridge shutdown is scheduled to occur the week after school is completed. PennDot is currently ahead of schedule and is hoping they will be done prior to the deadline. Chief Pickles said PennDot will be responsible for repairing any damage that occurs as a result of the bridge closure.

SEWAGE ENFORCEMENT OFFICER'S REPORT (SEO) -- The SEO's report was presented to the Board. In addition, a Portable Toilet Cleaning Contract was submitted for a portable toilet to be used by the Duncannon Area Girls Softball Association. A Holman/Peters motion was unanimously approved.

PARK AND RECREATION BOARD REPORT (PTPRB)

Karen Tilkins thanked the highway crew for their assistance as well as everyone who supported the chicken BBQ. Karen requested permission to donate \$100 to the Duncannon Fire Company for their assistance at the BBQ and for the use of their equipment. Based on a majority vote of a Maguire/Holman motion, this donation was approved.

Mrs. Tilkins stated she and two other Township employees/PTPRB members will be attending a food prep safety course at the Marysville Senior Center on June 12. Upon completion, all three will be certified and will be able to continue the senior dinners as well as the Kids Night Out.

Mrs. Tilkins stated that New Blooms Greenhouse will be delivering 10 scoops of mulch to the Township building.

Mrs. Tilkins stated the metal bench that sits by the shed is missing the corner and is damaged. She said it needs an end cap. Chairman Holman stated he would take care of it.

PENN TOWNSHIP MUNICIPAL AUTHORITY (PTMA) – No activity.

SECRETARY'S REPORT

Harris – Gemini Data Backup and Recovery Solution

Secretary Klinepeter has researched companies that provide backup and recovery services. She provided advertisements from different vendors who provide this service. Most vendors appear to be less costly than the Harris solution. Approval for Secretary Klinepeter to pursue this further was unanimously approved with a Maguire/Peters motion.

Harris Computer – Program Migration

During the recent upgrade to Windows 7, Harris informed us that they would need to move their two software programs to Windows 7 at a cost of \$300. Upon a Holman/Peters motion, unanimous approval was given for Harris to perform the upgrade.

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Harry Hamilton

The insurance agency for the County would like the Township to agree to appoint Harry Hamilton as the Deputy Tax Collector in Barbara Hamilton’s absence. This was agreed to in prior years. Upon a Holman/Peters motion, this appointment was unanimously approved.

PLGIT Proxy

PLGIT sent us a proxy for the next shareholder’s meeting. A proxy vote was unanimously approved with a Holman/Maguire motion.

FYI

CAP TAX

Secretary Klinepeter mentioned that she provided information from the CAP TAX meeting. She mentioned that there is a Bill pending that would allow volunteer firefighters a tax credit from the local earned income tax. CAP TAX is requesting municipalities ask their representatives to lobby to have the tax credit at the state level rather than at the local level. Upon a Holman/Peters motion, unanimous approval was given to request Representative Keller to lobby for this change.

MRM Trustees Dividends

Secretary Klinepeter stated we have received dividends from the Worker’s Comp policy.

ENGINEER’S REPORT – The Engineer’s report was presented to the Board.

POLICE REPORT - Chief Pickles presented the Police report.

Taschek Property

Chief Pickles stated Pennoni Associates inspected the Taschek property and found it to be unfit for human habitation. He stated it is up to the Board to determine how it is to be removed. Chairman Holman stated it is not cost effective for the Township to demolish the house. Supervisor Peters expressed a concern about using Township money to demolish the property and asked whether interest could accrue and be included in the lien. A Maguire/Peters motion to start the bidding process was unanimously approved.

Aggressive Driver Grant

Chief Pickles stated the Aggressive Driver Grant is coming to a close.

Franchise Agreement

The Cohen Group is negotiating a Franchise Agreement and has come to an agreement with Blue Ridge Communications (BRC) to pay the Township some of their past due fees. BRC has failed to pay their franchise fees pursuant to a Franchise Agreement dated August 1992. According to the terms of the new settlement agreement, BRC will pay Penn Township a lump sum franchise fee of \$15,000 for past years. Chief Pickles added that they are also working to obtain free internet service for all government entities within the Township. The settlement was accepted upon a Peters/Holman motion. Brian Maguire abstained from voting because he is a part-time employee of BRC.

Police Position

Chief Pickles would like to make a job offer to Gary Garrison. This was approved with a Maguire/Holman motion. Supervisor Peters abstained from this vote.

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Lee Wright

Mr. Wright asked who performs our background checks. Chief Pickles stated they are completed internally as well as by Solicitor Wagner. Mr. Wright then asked about the police officer who had a car pulled over in Liverpool last month. Chief Pickles stated that an officer had been serving subpoenas and had stopped to assist a woman with a disabled car.

Supervisor Peters

Supervisor Peters asked Chief Pickles how many part-time officers are on the police force. Chief Pickles said currently there are seven. He said there is no set number of officers included in the budget. He said some officers can only work one or two days a week at times. Supervisor Peters asked if the costs are justified to have officers working only a day or two a week. Chief Pickles said it was not, but it is not the normal schedule.

Wireless Ordinance

The stenographer’s report from the Wireless Hearing held earlier tonight will be available by Friday, May 2, which will then be submitted to the Cohen Group for review. Once we receive feedback from the Cohen Group, we will advertise for adoption at the next available meeting.

PERMIT REPORT – Secretary Klinepeter submitted the permit report.

CORRESPONDENCE

CDBG Grant

Secretary Klinepeter forwarded this letter to the Penn Township Municipal Authority.

Traffic Light E-mail

This e-mail from Pennoni Associates states that Herr Signal verified the operation of the traffic signal and that the signal is operating as intended.

Harrisburg Regional Chamber & CREDC

Secretary Klinepeter was invited to join the Harrisburg Regional Chamber and CREDC’s Local Government Subcommittee. According to their letter, “The purpose of this group is to help bridge the gap and strengthen the relationships between the business sector and local governments.” The next meeting is June 11 with an RSVP by June 1. Secretary Klinepeter was unanimously approved to attend this meeting with a Maguire/Holman motion.

OLD BUSINESS

Police Pension

Diane Calhoun of the PSATS Trustees Insurance Fund reviewed the Police Pension Ordinance and suggested additional language stating “No provisions of the Penn Township Uniformed Employees Pension Plan shall provide for any killed-in-service benefit for any participant.” The reason for this change is because the State provides this benefit. Secretary Klinepeter stated this change complies with Act 69. Upon unanimous approval of a Holman/Maguire motion, approval was given to advertise for adoption.

Tax Collector Audit – The tax collector audit was presented to the Board. Auditor Brad DiPaolo stated that they received a few negative responses. However, the auditors determined that the residents’ complaints were incorrect.

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Alternate SEO

Secretary Klinepeter stated she contacted Mike Higgins who stated his license expires in June and that he is retiring. She then contacted Mr. Smith who has agreed to be our alternate. A Holman/Peters motion to hire Mr. Smith was unanimously approved.

NEW BUSINESS

Ag Security Resolution

Secretary Klinepeter corrected the number of additional acres added to the Ag Security Area to be 41.5 acres. She stated the resolution must now be recorded and sent to the Department of Agriculture. Chairman Holman mentioned that residents may join the Ag Security Area at any time. The Resolution which includes the existing members and the new members was unanimously approved with a Maguire/Peters motion.

At 9:12 PM, the meeting was adjourned for an Executive Session.

The meeting was reconvened at 9:44 PM.

Chairman Holman stated the Executive Session was related to a personnel matter. A Peters/Maguire motion to refer this issue to Solicitor Wagner was unanimously approved.

Upon a Holman/Maguire motion, the PTS voted unanimously to adjourn the meeting at 9:45 PM.

Respectfully Submitted,

Elizabeth Goodhart
Treasurer/Recording Secretary