

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 January 28, 2015

The Penn Township Board of Supervisors (PTS) met in the Municipal Building on Wednesday, January 28, 2015, at 7:00 PM. 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, 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.

Chairman Holman stated there were no Executive Sessions held since the last meeting.

VISITORS

Mr. Beck, a representative from the East Pennsboro Ambulance Service, was scheduled to attend tonight's meeting but was not able to do so. Chairman Holman stated he met with Mr. Beck earlier today who informed him that the Marysville Ambulance previously serviced up to Burley Road in Penn Township. However, the Marysville Ambulance service will be disbanding on April 30, 2015. Mr. Beck provided a record of approximately forty (40) ambulance calls that Marysville had responded to within Penn Township. Mr. Beck stated these calls were within areas of Penn Township that are not serviced by the Duncannon EMS. Mr. Beck informed Chairman Holman that he had conversation with Kraig Nace of the Duncannon EMS regarding coverage of these areas once Marysville Ambulance was no longer in service. Mr. Beck stated that both he and Kraig Nace have no preference as to which ambulance service provides coverage to these areas. Chairman Holman stated the PTS must decide which ambulance service should cover these areas. He shared the call information provided by Mr. Beck with Supervisors Peters and Maguire for their review and comments at the next meeting.

Mr. Nace briefly described how ambulance calls are currently handled. He confirmed that East Pennsboro and Duncannon will accept each others' ambulance subscriptions.

Joseph Burget, Burget and Associates

Mr. Burget is representing Randy Mladenoff of Rupp Road and is here tonight to learn the history of Mr. Mladenoff's property. Mr. Burget stated Plan Book 50, page 6, is the most current recorded plan. He highlighted areas on the plan and said he feels this property goes out to the Township road. Chairman Holman stated it does not extend out to the Township road. Mr. Burget said this plan, which was approved and recorded, shows the Township road with a leader coming in that touches the Township road, but Chairman Holman stated the plan is incorrect and does not touch the Township road. Based on the records for mileage (Liquid Fuels), the Township road does not touch Mr. Mladenoff's property. Chairman Holman added that the plan originally recorded for this property dated 1959 shows that it does not meet the Township road.

Mr. Burget stated the plan created two building lots (lots 2 and 3) and one non-residential lot (lot 1) owned by Mr. Mladenoff, and the right-of-way gives access to lots 2 and 3. He also stated the general plan notes state that lot #1 is responsible for maintaining the private right-of-way. Mr. Burget stated that if Mr. Mladenoff is responsible for maintaining it, he should be allowed to use it. Chairman Holman stated he is allowed to use it. The issue is with the number of dwellings allowed to use the road.

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This plan added lot #1 to the adjacent Stoner property (33 acres). Mr. Burget said Mr. Mladenoff can drive up the private lane to the 33 acres and then drive over to his 18 acres. He stated if he can access the 18 acres in this manner, there should be no issue with using the right-of-way to directly access the 18 acres.

Chairman Holman stated the plan included several conditions, and Mr. Stoner agreed to these conditions. The plan was approved, but Mr. Stoner never followed through with the conditions.

Chairman Holman stated the Township road joins with Mr. Benner's property.

Engineer Shradley stated it may be useful to determine who owns the 33' right-of-way.

Kraig Nace

Mr. Nace thanked the Township for their continued support.

Stanley Mutzabaugh

Mr. Mutzabaugh asked Chief Pickles about the Township having a Public Access channel which was discussed during negotiations of the Franchise Agreement with Blue Ridge Cable (BRC). The Chief said he had not discussed this with BRC. He said it is expensive to put in. Mr. Mutzabaugh mentioned that he thought it was being negotiated as part of the Agreement. Mr. Mutzabaugh stated that his recent cable bill has increased due to the Franchise Agreement and asked the PTS where that money will be spent. Chairman Holman stated it will be put into the General Fund to be used for expenses. Mr. Mutzabaugh stated that since residents who have a satellite dish rather than cable do not pay the Franchise Fee, it would have been better to simply raise the taxes for all residents. Mr. Mutzabaugh said that the Solicitor stated during a previous meeting that if the Franchise Agreement is implemented, BRC would most likely pass that fee on to their customers. Chairman Holman stated the cable bills previously included a line item for the Franchise Cable Fee.

Mr. Mutzabaugh asked about the status of the Emergency Management Officer. Chief Pickles stated it is in the works. Mr. Mutzabaugh stated he has been inquiring about the status of this every three months.

Byron Worner

Mr. Worner stated the first meeting was held last evening with representatives from the Duncannon Fire Company (DFC), Duncannon Borough, Penn Township, and Wheatfield Township. Mr. Worner stated that all recent rumors regarding the DFC were discussed and put to rest.

Mr. Worner asked Supervisor Peters to explain which documents he had received from the DFC which indicate the DFC is almost a million dollars in debt. Supervisor Peters stated he was looking at the DFC's annual report, but Mr. Worner stated that report does not include financial information. Supervisor Peters asked Mr. Worner how much the DFC owes and why the DFC is not forthcoming with their financials. Mr. Worner stated the Township is given a complete financial statement every year, which includes their in-house audit of every account, every loan, every bank account, and a copy of annual Form 990. Supervisor Peters said he is seeking information and asked Mr. Worner for the amount of the DFC's total debt. Mr. Worner stated it is approximately \$670,000, which includes three loans.

- One loan is for the building – a 20-year note that started in 2006
- Two loans are for the new rescue pumper bought in 2012 – one is a 2% loan to PEMA and the other is the annual loan paid from the Capital Reserve account where the PTS donation is deposited

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Mr. Worner stated that every penny received from the PTS is paid on these three loans. Supervisor Peters asked Mr. Worner if the DFC has any plans to purchase any new equipment, who replied there are no such plans. Supervisor Peters asked if the DFC is planning to purchase any vehicles or equipment. Mr. Worner stated there are no plans for any purchases. Supervisor Peters stated he is concerned that in the future, the DFC will need financial assistance from the Township causing a Fire Tax to be enacted on the residents. Supervisor Peters stated the DFC should be required to provide complete financial information to the Township, the same as others who serve our Township, i.e. EMS. Mr. Worner stated that information is provided to the Township each year. Mr. Worner stated as a 501c(3) non-profit, the Township is not liable for the DFC's debt. He also offered to meet with Supervisor Peters to discuss the DFC financials. Supervisor Peters stated he is concerned that Township residents are not burdened with a Fire Tax.

Chairman Holman mentioned the meeting held the previous evening with the DFC and representatives of the local municipalities. He said that several attendees mentioned "rumors". He stated that once the DFC explained their finances, it become a productive meeting. After reading the DFC financial report, Chairman Holman prepared a list of questions for Mr. Worner to respond to at the next PTS meeting.

Supervisor Peters mentioned that he is not against the DFC but that he is for the residents. Mr. Worner stated "the door is wide open" to Supervisor Peters and to all residents. Chairman Holman stated the Marysville Bank has evaluated the DFC and they have been approved for total debt of one million dollars.

Jesse Boyer

Mr. Boyer asked if the Township will be solicited to make a donation to another ambulance service if they are being called into Penn Township. Chairman Holman stated he did not believe so. Kraig Nace of the Duncannon EMS stated it was not discussed but he also did not believe so.

Lee Wright

Mr. Wright stated that having a local ambulance service was helpful to him recently.

INVOICES AND EXPENDITURES

With unanimous approval of a Holman/Peters motion, the PTS voted to approve payment of checks 27908 through 27925 and checks 27937 through 28011 (excluding check 28006) totaling \$54,584.42 from the PLGIT General Fund account, ACH payments totaling \$13,251.53 from the Orrstown Bank General account, PTPRB checks 01558 through 01561 in the amount of \$201.74, PLGIT Capital Reserve check 00186 in the amount of \$18,979.02, a transfer from the Orrstown Bank General Fund to the PTPRB Checking account for \$201.74, and a transfer from the Orrstown Bank General Fund to the PLGIT Capital Reserve account in the amount of \$12,500.00.

Check 28006 in the amount of \$492.50 was approved for payment with a Holman/Peters majority vote. Vice-Chairman Maguire abstained from voting due to his part-time employment with the vendor.

TREASURER'S REPORT

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

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PARK & REC CD RENEWAL (1 CD)

There was a Maguire/Peters motion to approve re-investing in an 11-month Municipal Easy Access CD at FNB of Mifflintown at a rate of 0.65%. Motion passed by unanimous vote of the PTS.

MINUTES

The minutes for the January 5, 2015, Reorganizational PTS meeting were unanimously approved with a Peters/Maguire motion.

HIGHWAY REPORT

- Handled recent storms—plowing, salt and anti-skid
- Restocking anti-skid—purchased total of 242 tons
- Restocking salt
- Received compliment from Camp Hill resident who works in Penn Township on the good maintenance of Township roads
- Received new pickup truck w/plow
- Took care of inside maintenance/repairs
- Looking to pave the dirt portion of Linton Hill Road

Chairman Holman stated the Township is not welcome to park on or use his property in any way. If the Township wants to use his property for any reason, they must get Chairman Holman's written permission to do so. Chairman Holman made this statement to prevent the Township from taking ownership of any portion of his property in the future.

Chairman Holman stated that the repairs to the road on his property were done with his own equipment and at his expense.

PENN TOWNSHIP PLANNING COMMISSION (PTPC)

Sunshine Hills Water System Update Land Development

Upon a Maguire/Peters motion, the PTS unanimously accepted the recommendation of the PTPC to approve plan 2014-04, contingent upon all signatures being provided, as well as the following Alteration Of Requirements (AOR's).

- Section 304, Final Land Development Plan
- Section 309.A.a, Plan Scale
- Section 509, Curbs
- Section 510, Sidewalks

2015 Perry County Future Land Use Plan

A Maguire/Holman motion to send the PTPC's comments regarding Penn Township to Perry County, as well as recommended changes to our Land Use Map, was unanimously approved.

ZONING REPORT –Report was presented.

SEWAGE ENFORCEMENT OFFICER'S (SEO) REPORT—Report was presented.

Annual report sent to DEP must now be certified. A Holman/Maguire motion allowing the Secretary to use the Notary seal as certification was unanimously approved.

PARK AND RECREATION BOARD (PTPRB) REPORT – Karen Tilkins presented the report. She also stated the next senior lunch is scheduled for February 20, 2015. Upon a unanimous Maguire/Holman motion, Raymond Klinepeter was re-appointed to a five-year term.

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PENN TOWNSHIP MUNICIPAL AUTHORITY (PTMA)

The PTMA sent a thank you letter to the Highway crew for their assistance with the testing probe for the Sunshine Hills project. Henry Holman III, PTMA Chairman of the Board, also thanked the PTS for their assistance.

SECRETARY'S REPORT

PennDOT Liquid Fuels Review

Secretary Klinepeter stated she received a verbal report on this review but has not received the official report as yet.

PSATS Health Insurance Trust

The Ordinance, 2015-01, authorizing the participation of Penn Township in the Pennsylvania Townships Health Insurance Cooperative Trust has been properly advertised. Unanimous approval was given upon a Holman/Peters motion.

PSATS Pension Trust

The Ordinance, 2015-02, authorizing the participation of Penn Township in the Pennsylvania Municipalities Pension Trust has been properly advertised. Unanimous approval was given upon a Maguire/Peters motion.

PSATS Unemployment Compensation (UC) Trust

The Ordinance, 2015-03, authorizing the participation of Penn Township in the PSATS Unemployment Compensation Group Trust has been properly advertised.

Carolyn Carnes asked the Board when the last Township employee was laid off. Ms. Carnes asked how much we pay to PSATS for employer UC tax. Ms. Carnes stated we are paying this money into a fund from which we receive no benefit. She stated as a reimbursable employer, we would not be required to pay the employer tax to the State but would simply fund any unemployment benefits paid to our laid-off employees. With the passage of a Holman/Maguire motion, the PTS voted unanimously to continue with PSATS for the first quarter 2015, but research the possibility of discontinuing our participation going forward.

UCC Board of Appeals

The UCC Board of Appeals' members recommended that William Warner be reappointed to the UCC Board of Appeals for a three-year term. Upon a Holman/Maguire motion, the PTS unanimously approved this appointment.

ENGINEER'S REPORT

Charles Stoner Subdivision

Engineer Shradley stated that based on Mr. Stoner's revised plan, he recommended Mr. Stoner's financial security be reduced to \$8,641.50. Engineer Shradley stated he left in the cost for the tar and chip of the shoulders, as well as the cost for seeding and stone. Upon a Maguire/Peters motion, the PTS unanimously approved this financial security reduction.

Lenker Stormwater Review

Engineer Shradley reviewed this plan and provided his comments. He stated there are a number of items that do not comply with the Ordinance. A Maguire/Peters motion to accept Rettew's recommendation was unanimously approved. Secretary Klinepeter will send a copy of this review to Mr. Lenker and his Engineer. CeCe Novinger asked if his comments address the pile of

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concrete, which they do not. However, the proposed plan indicates that it will be moved. Currently, Mr. Lenker can remove from the pile but cannot add to it. Conversation ensued as to what was approved from the Conditional Use Hearing vs. what has actually been done. This issue is currently with DEP, and we have not heard from them as yet.

POLICE REPORT – Chief Pickles presented the officer activity report.

Computer System Update

This update is currently being done to allow officers access to the system from their vehicles. They are also looking to install printers in the vehicles.

Police Hire

Police hired Joshua Goodling.

Stanley Mutzabaugh asked about the Police radios. He stated he heard a call on the scanner where the base could not hear the Police officer who was in the square in Duncannon. Chief Pickles stated that it depends on whether the officer is inside the vehicle or not. He stated the officers also have cell phones to use. Byron Worner stated the County is planning to upgrade the radio system using grant money.

Jodi Rissinger asked if there are year-end totals for the Police report.

SOLICITOR'S REPORT – There was no report.

PERMIT REPORT – Secretary Klinepeter submitted the permit report.

CORRESPONDENCE

PPL E-mail

We received an email from PPL regarding the CFL recycling program. PPL asked if we want them to come in to set up a program to recycle CFL lights. Upon a Peters/Maguire motion, the PTS unanimously gave approval to the Secretary to invite PPL for a Q&A meeting.

Duncannon Fire Police

The Duncannon Fire Police is requesting a donation to assist in the replacement of some equipment. Chief Pickles stated they regularly assist the Police. The Secretary stated there is money allocated for them in the 2015 budget. A donation of \$50 was unanimously approved upon a Maguire/Peters motion.

2015 Local Partners Workshop

This workshop is scheduled for February 19, 2015. The Highway crew did not show interest in attending as they are concerned with being available for storm clean-up. Vice-Chairman Maguire stated he would attend. A Holman/Peters motion was unanimously approved for the Secretary to register Vice-Chairman Maguire for this workshop and pay the \$5.00 fee.

OLD BUSINESS

Duncannon Fire Company Donation

Supervisor Peters stated he called PSATS who informed him that a Township can stipulate how the funds are used. A Peters/Maguire motion to process the \$65,000 donation, after receipt of the financial report, was unanimously approved. Mr. Worner stated that \$35,000 will be applied to the

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building payment and the remaining \$30,000 will be held in the Capital Reserve for the apparatus payment.

Chairman Holman stated he met with Solicitor Wagner to determine if the Township can stipulate how the donation to the DFC is used. The Solicitor stated he could not find anything that would allow us to earmark these funds. He stated we could stipulate how funds are used if this was a Fire Tax.

Bob Johnson asked for a copy of the questions on the DFC report given to Byron Worner.

NEW BUSINESS

Sesquicentennial Committee

Frank Eppley, Chairman of this committee, submitted a letter to the PTS stating Duncannon Borough will be holding a Sesquicentennial parade on August 8, 2015. His letter requests permission to use four streets/areas within the Township for vehicle staging, if needed. Chief Pickles stated he is working with them to obtain the proper permits. Upon a Holman/Peters motion, the PTS unanimously approved Mr. Eppley's request.

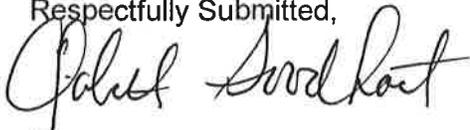
Lee Wright asked if there is a difference in situation between the Lenker property and the Ward property. He was informed the Ward property has an injunction against it, and the Lenker property has a Cease and Desist Order against it.

Perdix Fire Company

Chairman Holman asked if there was a representative of the Perdix Fire Company in attendance. Jodi Rissinger said she is the President. Chairman stated he would like to re-visit using the Perdix Fire Company within the Township. He said if they are willing to open their financial records for review, he would be willing to begin informal talks. A Holman/Peters motion was unanimously approved to send a letter to the Perdix Fire Company President asking if they are willing to sit down and discuss future negotiations for working towards a resolution for using their services.

Upon a Holman/Peters motion, the PTS voted unanimously to adjourn the meeting at 9:35 PM.

Respectfully Submitted,



Elizabeth Goodhart
Treasurer/Recording Secretary