

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 February 25, 2015

The Penn Township Board of Supervisors (PTS) met in the Municipal Building on Wednesday, February 25, 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, 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 was one Executive Session held on February 9, 2015, for interviewing a police officer candidate.

Chairman Holman addressed Stanley Mutzabaugh's concern at the last PTS meeting regarding the increase in cost to his Blue Ridge Cable (BRC) bill. Chairman Holman stated under federal law, BRC must have a Franchise Agreement with Penn Township unless the Township does not want it. He also stated the Township has had an agreement with BRC since the 1990's which stated that BRC must pay the Township three percent of its revenues within the Township. Chairman Holman read from information provided by the Cohen Law Group. The letter states that when the Cohen Law Group informed BRC that they had not paid the Franchise Fee to Penn Township, BRC offered a lump sum settlement. The Township accepted the lump sum rather than pursue this through the Courts. Settlement costs are not usually passed on to the BRC customers. However, BRC chose to pass this cost on to our Township residents for a period of one year.

Chairman Holman stated he was approached by a resident who heard the Township would need to impose a Fire Tax if the Duncannon Fire Company (DFC) could not meet its financial obligations. The Chairman asked the attendees if they felt the Township already has a Fire Tax, and the audible responses indicated that we do not have one. Chairman Holman stated the last tax increase in the Township was around 2001, and those meeting minutes state the increase of 1/4 mill was to enable the Township to give the Fire Company more money. He also stated the Township donations to the DFC and the Duncannon EMS take a large portion of our real estate taxes. The Chairman stated the Township cannot stipulate how the donations are to be used, but we could with a Fire Tax.

Supervisor Peters stated that he spoke with the Legal Office at PSATS who informed him that the Township can designate how donations are used. Chairman Holman stated we can designate how funds are used, but we cannot enforce it.

VISITORS

Barbara Hamilton, Penn Township Tax Collector

Mrs. Hamilton stated she has a concern regarding the collection of per capita taxes. She stated the number of residents on the per capita rolls is dropping. She is requesting assistance from the PTS in gathering information for the tax roll. She offered the following suggestions:

1. Create ordinance requiring owners of rentals to report to the Township the names of all adults living in their rentals.
2. Township notify Mrs. Hamilton of new homeowners using PTMA sewer lines.

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3. Mail out a census survey requesting the names of all Township residents age 18+.

Supervisor Peters asked if real estate agents report new homeowners to her for tax purposes. Mrs. Hamilton stated they do not. She will be contacting local agents and request they include a survey requesting the names of persons who are age 18+ be included in closing packets. All agreed that an ordinance requiring all residents and owners of rental properties report this information would be easiest. PSATS may have a sample ordinance that we could use to prepare one for Penn Township.

Secretary Klinepeter stated she provides Mrs. Hamilton a copy of the report she receives from the County for transfer tax.

Supervisor Peters suggested Mrs. Hamilton attend the next PTMA meeting to request they provide the information in suggestion #2 above.

Brad Burd

Mr. Burd said he has problems with his neighbor riding his ATV close to his house. He said there is noise and dirt pollution and if it does not stop, he will need to sell his house. He said this interferes with him getting sleep. Mr. Burd tried to talk to the neighbor who then yells at him. Mr. Burd said this problem occurs during the Spring, Summer and Fall. He is now requesting assistance in anticipation of this situation occurring in 2015. Chairman Holman stated he has invited Mr. Burd's neighbor to ride his ATV on his property. He also suggested that Mr. Burd wait to see if the problem re-occurs.

Lisa Landis

Ms. Landis gave the Board members pictures which she had taken of a property on Sunshine Hill. She stated she filed a nuisance complaint on April 30, 2014, but nothing has been done. The property is full of trash, i.e., rain barrels, debris, bathtubs, etc. On either side of this property there are homes. She said this issue has not been addressed. Ms. Landis asked the PTS to address this issue. Chairman Holman said he will personally deal with this issue the next day.

Robin Landis

Ms. Landis asked Chief Pickles about the policy for dogs left outside in bad weather with no shelter. She said she was told by an officer that there is nothing the Police can do. Chief Pickles said we have a dog warden. He also told her that she could have called him.

Byron Worner

Mr. Worner provided the information previously requested by the PTS and verbally explained a few of those items. Mr. Worner stated that vehicle maintenance has not been recorded per vehicle in the past but will begin recording it separately going forward.

Mr. Worner asked Bob Johnson for an apology for the statement he made about the DFC during the last PTS meeting. Mr. Johnson stated he had no problem with the DFC, but there are some assholes in the DFC. He said he is sorry if he offended anyone.

Lee Wright

Mr. Wright said he is finishing the project at 1600 State Road and is almost ready for the final inspection. The engineer he used said the handicapped parking spaces do not need to be paved, but they are shown as being paved on the plans. He would like to be able to create them in another acceptable manner rather than paving them. Chairman Holman stated that in order to be

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uniform in how the PTS handles similar requests, he feels that the plan should be followed. He said that if he wants to make changes, he must file an amended plan and have it re-recorded. Chairman Holman offered as an alternative that the Township issue a temporary Occupancy Permit for 60 days in which time Mr. Wright can pave the handicap spaces. After that has been completed within the 60 days, he will be issued his permanent Occupancy Permit. Joseph Burget of Burget and Associates said he feels that as long as the spaces meet handicapped requirements, the PTS should allow it. Chairman Holman said he feels he offered a fair solution.

A Holman/Maguire motion to issue a 60-day temporary Occupancy Permit was unanimously approved.

Bob Johnson asked if the UCC inspector stated what would be acceptable for the handicapped spaces. Mr. Wright stated the UCC inspector would accept recycled asphalt sold by Furnley Frisch.

Jodi Rissinger

Ms. Rissinger asked Byron Worner of the DFC if they are able to access the invoices for vehicle repairs, which he stated they could. She then asked Mr. Worner who informed him of the a__hole comment made by Bob Johnson since it was made after the meeting was adjourned. He informed her it was an attendee at the meeting. Chairman Holman stated the comment was made while the meeting was in session.

INVOICES AND EXPENDITURES

With unanimous approval of a Holman/Peters motion, the PTS voted to approve payment of checks 28012 through 28091 (excluding check 28086) totaling \$38,925.58 from the PLGIT General Fund account, a charge to the PLGIT General Fund account for new check stock in the amount of \$114.75, ACH payments totaling \$11,489.31 from the Orrstown Bank General account, PTPRB checks 01562 through 01563 in the amount of \$129.73, a transfer from the Orrstown Bank General Fund to the PTPRB Checking account for \$129.73, and a transfer from the Orrstown Bank General Fund to the PLGIT General account in the amount of \$25,000.00.

Check 28086 in the amount of \$1165.25 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/Peters motion.

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 28, 2015, PTS meeting were unanimously approved with a Peters/Maguire motion.

HIGHWAY REPORT

Secretary Klinepeter stated it is time to request bids for #8 stone, 2A stone, and CRS-2 (E-3 oil). A Holman/Maguire motion approving the advertisement for bids was unanimously approved.

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- Handled recent storms
- Filled ash bins, replaced snow blades, de-salted trucks
- Repaired light in hallway of Township building
- Preparing for upcoming snow storms
- Road survey scheduled for Saturday, March 28, 2015, 8:00 AM—same day as P&R chicken BBQ

Stanley Mutzabaugh asked about the drifts on Butchershop Road. He said there was only a lane and a half open. Chairman Holman said he can't keep it from drifting and can only plow the roads. Chairman Holman said he was informed of Mr. Mutzabaugh's call to the County about Butchershop Road and he said it was plowed several times. He said that after Butchershop Road had been plowed, the Township office received a call that the road had drifted over again. Chairman Holman said they have received erroneous calls in the past reporting bad roads when they were not actually in need of plowing.

PENN TOWNSHIP PLANNING COMMISSION (PTPC)

Glenn and Donna Ebersole Final Land Development Plan, File 2015-01

Joseph Burget stated the Ebersoles are subdividing two acres and gave a brief description of the plan. Mr. Burget stated the PTPC has recommended approval of the plan with several contingencies. The following Alteration of Requirements (AOR's) were unanimously approved upon a Holman/Maguire motion, contingent on Engineer Shradley's approval of Section 407.

1. Section 306, Preliminary Plat Procedure
2. Section 309.A.a, Plan Scale
3. Section 309.A.7, Map Scale
4. Section 406, Stormwater Management Plan
5. Section 407, Erosion Control Plan
6. Ordinance 117, Driveway Ordinance

Upon a Holman/Maguire motion, the PTS voted unanimously to accept this plan, File # 2015-01, contingent on the following items being completed and subject to all fees being paid. Mr. Burget agreed to these conditions.

1. The Engineer's seal and certification, and surveyor's certification shall be provided and signed.
2. Certification of ownership and dedicatory statement shall be signed and notarized.
3. The Engineer's approval of the stormwater calculations of the driveway swale, the angle of the swale to be changed to reduce the sheeting of stormwater and determination if the swale stormwater flow requires stabilization.
4. Sewage planning exemption is approved by DEP.
5. Penn Township Highway Department determination that the drainage pipes on Ebersole Road will handle the additional water flow from the Driveway.

DEP Mailer

Upon a Holman/Peters motion, the PTS unanimously gave approval for the Secretary to sign and forward to the appropriate area.

2014 Planning Commission Summary

Upon a Maguire/Peters motion, the PTS voted unanimously to approve the PTPC 2014 Planning Commission Summary.

ZONING REPORT – Report was presented.

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

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PARK AND RECREATION BOARD (PTPRB) REPORT – Karen Tilkins presented the report.

By-Laws Change

The PTPRB is requesting to make changes to their by-laws, Article 2 paragraph 4 and Article 4. The PTS approved these changes upon a unanimous Holman/Peters motion.

Ms. Tilkins announced the PTPRB chicken BBQ is scheduled for Saturday, March 28, 2015. The Duncannon Fire Company will again assist with the BBQ. Tickets are available for purchase in the Township office.

PENN TOWNSHIP MUNICIPAL AUTHORITY (PTMA)

Henry Holman III, PTMA Chairman, reported they had the monthly Joint Operations Advisory Committee (JOAC) meeting, and the remaining Market Street lines will be upgraded this summer. He also reported the PTMA has received \$500,000 in grants for the water system on Sunshine Hill, and they are applying for an additional \$250,000 in grants for the secondary phase to the upgrade to the system. If all goes well, the system could be back on line by the end of the year.

Lee Wright stated the PTMA should be commended for their efforts in obtaining the grants.

SECRETARY'S REPORT

PennDOT Liquid Fuels Review

Secretary Klinepeter received the official report on this review. She stated we received a good review.

Power Trade Ally

Secretary Klinepeter was contacted by Mr. Rowen who is working thru PPL offering a free assessment of facility lighting. Upon a Holman/Maguire motion, the PTS unanimously gave approval to the Secretary to contact Mr. Rowen to perform this assessment.

The Secretary mentioned that the County Convention is to be held on February 28, 2015.

ENGINEER'S REPORT – No report was presented.

POLICE REPORT – Chief Pickles presented the officer activity report. He also stated the Police are looking into purchasing a new vehicle.

Police Hire

Police interviewed Gerald Cavanaugh and asked permission to hire. Chairman Holman stated the PTS was involved in this interview and a background check was completed. Upon a Holman/Peters motion, the Board unanimously approved the hiring of Mr. Cavanaugh.

SOLICITOR'S REPORT – The Solicitor was not present. However, he informed the Secretary that the paperwork to place a lien against the Taschek property has been submitted to the Court.

PERMIT REPORT – Secretary Klinepeter submitted the permit report.

CORRESPONDENCE

County EMA Coordinator (Mr. Bell)

Mr. Bell said it is the responsibility of the Local Emergency Planning Committee (LEPC) to obtain and maintain records on any facility that may store, sell or manufacture hazardous chemicals. He is

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requesting assistance in gathering information. This letter was forwarded to the PTMA and to the Police.

Supervisor Peters mentioned the recent fires in West Virginia and asked Byron Worner and Chief Pickles if we are prepared to handle this type of disaster. Mr. Worner stated that no one is prepared for this. Mr. Worner stated Perry County does not currently have a Hazmat team, but we have contracted with Cumberland County for this.

MRM Property & Liability

The annual meeting of MRM Property & Liability is scheduled for April 9, 2015. Penn Township has been asked to either send a delegate to this meeting or to return the proxy. The PTS unanimously approved a Maguire/Peters motion to send the proxy.

MRM Worker's Compensation Trust

The annual meeting of MRM Worker's Compensation Trust is scheduled for April 10, 2015. Penn Township has been asked to either send a delegate to this meeting or to return the proxy. The PTS unanimously approved a Maguire/Peters motion to send the proxy.

PSATS Trustee Insurance and Retirement Services

PSATS is offering a webinar on 457 Plans. Supervisor Peters suggested that the Secretary and the Treasurer attend the webinar.

Perry County Comprehensive Plan

There is a Forum/Open House focusing on this plan scheduled for March 5.

Wheels for Wishes

This charity has requested that Penn Township include a link to their website from our website. Upon a Peters/Holman motion, the PTS unanimously voted to add this link to our website.

OLD BUSINESS

PPL Electric E-mail

We received an e-mail from Jari Hibschman of PPL stating he would be available the second week of March for a question and answer session regarding the CFL Recycling Program. Due to scheduling conflicts, the Secretary will schedule the session for the week of March 16, 2015.

UC Compensation Update

The Secretary reported that we cannot opt out of the PSATS UC program in the middle of the year. She is awaiting additional information to assist in making a decision on this topic. Based on information she has received, it is possible that changing how we report unemployment may not be beneficial to Penn Township.

Newsletter

Secretary Klinepeter reported that the newsletter will be mailed on Monday, March 2, 2015, and requested to be paid for its processing. She also asked if she should include a survey with the newsletter regarding Barbara Hamilton's earlier request to update the per capita tax rolls. The Secretary was informed to ask Solicitor Wagner if this type of survey may be included with the newsletter mailing. Supervisor Peters also suggested that an insert be included in the newsletter reminding our residents that they may pay their taxes on line. Upon a Holman/Maguire motion, the PTS unanimously gave approval for the Secretary to contact the Solicitor regarding the per capital tax roll newsletter insert.

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Ambulance Coverage

Chairman Holman stated the Board must determine whether the East Pennsboro Ambulance Service or the Duncannon EMS should be designated as the first responders for the area up to Burley Road which was previously serviced by the Marysville Ambulance. Supervisor Peters said he contacted Mr. Beck of the East Pennsboro Ambulance Service. He also expressed his concern with ambulance service personnel from outside Penn Township being familiar with our roads. Supervisor Peters stated the Duncannon EMS is more familiar with our roads and should have a quicker response time. Supervisor Peters made a motion to make the Duncannon EMS the first contact for this area. Chairman Holman stated that during a previous meeting on this subject with Marysville Ambulance, Kraig Nace stated the Duncannon EMS is full. Supervisor Peters said that Mr. Beck is considering a contract with West Shore Advanced Life Support (ALS), but Duncannon EMS is currently using this service. Chairman Holman that the East Pennsboro Ambulance Service missed-call log indicates only four of the 40+ missed calls were below Burley Road and the rest were above Burley Road. A Peters/Maguire motion to appoint Duncannon EMS to take over the area currently serviced by the Marysville Ambulance was approved with a majority vote. Chairman Holman opposed.

NEW BUSINESS

Exoneration of parcel 210,149.00-001.001 – Appalachian Trail Ranch, Inc.

The Perry County Tax Claim Bureau is requesting this parcel be removed from the tax rolls. Taxes owed on this property total \$152.40. The County feels this is an unidentifiable tax parcel. A Peters/Holman motion to approve the County's request was unanimously approved.

Lee Wright wanted to confirm what is required to be done at his new business location in addition to the paving of handicapped spaces. He was informed to call UCC Inspector Bob Hollabaugh for additional instructions, if any.

Upon a Holman/Maguire motion, the PTS voted unanimously to adjourn the meeting at 9:54 PM.

Respectfully Submitted,



Elizabeth Goodhart
Treasurer/Recording Secretary