

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

Brian Peters, Chairman Brian Maguire, Vice-Chairman Joseph Landis, Supervisor

Minutes of February 24, 2016

The Penn Township Board of Supervisors (PTS) met in the Municipal Building on Wednesday, February 24, 2016, at 7:05 PM. Chairman Brian Peters, Vice-Chairman Brian Maguire and Supervisor Joseph Landis were in attendance. Other personnel present were Helen Klinepeter (Secretary), Police Chief Richard Pickles, Solicitor Mark Allshouse, Engineer Max Shradley and Elizabeth Goodhart (Treasurer/Recording Secretary). Chairman Peters 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.

The Chairman stated there was an Executive Session prior to this meeting regarding a personnel issue and also a legal issue pending litigation.

VISITORS

Henry Holman, Jr.

Mr. Holman gave an update of the latest snow plowing.

Mr. Holman mentioned the December 30, 2015, PTS meeting where Lisa Landis spoke as a visitor. Mr. Holman stated the minutes indicate that each of the Supervisors was questioned by Ms. Landis. However, Chairman Peters later added a statement to the minutes for this meeting that Ms. Landis' comments were not directed towards Supervisors Peters and Maguire. Mr. Holman stated he understood this to mean that her comments were directed towards him and if so, that should be stated in the minutes and his attorney would be contacting the Solicitor.

Mr. Holman mentioned the problem with plowing the Township dead end roads. He stated there is no place for the plows to turn around except on private property and no choice but to leave snow piles on private property.

As the former Roadmaster, Mr. Holman asked about the status of the paving bid proposals and requested to be included in the pre-bid.

John Holman

Mr. Holman stated at the last PTS meeting, Supervisor Landis suggested Chief Pickles contact the Perry County District Attorney (DA) about the rights of the elderly being violated. He asked if Chief Pickles contacted the DA. Chief Pickles stated he did, and the Police will continue to take these calls and handle on a case-by-case basis.

Mr. Holman stated this matter has captured national attention, and he and John McTernan will be on a radio show tonight with host Ernie Sanders discussing how Pennsylvania and Perry County are not protecting the rights of the elderly.

Elmer Knaub

Mr. Knaub, Vice-Chairman of the Municipal Authority, stated he and Jim Kocher met with officials from the Duncannon Borough utility group regarding the drinking water issues in Penn Township and Duncannon Borough. Duncannon Borough meets the low income guidelines for a grant, but Penn Township does not. Mr. Knaub stated Duncannon Borough has received a grant, and this

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group is beginning discussions to see if they can they modify their grant to include the Township. Mr. Knaub stated at some point the attorneys and engineers must get involved.

INVOICES AND EXPENDITURES

With unanimous approval of a Peters/Landis motion, the PTS voted to approve payment of checks 29070 through 29142 (excluding check 29136) totaling \$52,497.69 from the PLGIT General Fund account, ACH payments totaling \$17,510.62 from the Orrstown Bank General account, PTPRB checks 01626 through 01628 totaling \$150.18, a transfer from the Orrstown Bank General Fund to PTPRB checking account in the amount of \$150.18, and a transfer from the Orrstown Bank General account to the PLGIT General Fund account in the amount of \$30,000.00.

Check #29136 in the amount of \$506.00 was approved for payment with a Peters/Landis majority vote. Vice-Chairman Maguire abstained from voting on check #29136 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 Maguire/Landis motion.

MINUTES

Upon a Landis/Maguire motion, the PTS unanimously approved the minutes of the January 27, 2016, PTS meeting.

HIGHWAY REPORT

Letter from L. nace

Mr. Nace of the Perry County Recreation Association (PCRA) sent a letter to the Township regarding where the snow at the PCRA is piled after it is plowed. Due to the location, there is no other place to pile the snow other than the current location.

Traffic System Asset Management System

The Secretary received a letter from PennDOT announcing the data collection for a central database of traffic signals and signal equipment within Pennsylvania. Secretary Klinepeter provided the contact information for Vice-Chairman Maguire as Roadmaster and Bill Conrad of Signal Service, Inc.

PENN TOWNSHIP PLANNING COMMISSION (PTPC)

1616 & 1620 State Road Final Subdivision Plan, File # 2016-02 (Norm's Tire & Auto)

Upon motions as indicated below, the PTS unanimously agreed to the following Alteration Of Requirements (AOR's).

- Section 306, Preliminary Plat Procedure – Maguire/Peters motion
- Section 309.A.11, Contours of 5 feet or less – Maguire/Landis motion
- Section 309.B.4, Erosion and Sedimentation Control Plan – Maguire/Peters motion
- Section 509, Standards for Curbs Gutters – Maguire/Landis motion
- Section 510, Standards for Sidewalks – Maguire/Peters motion
- Section 505, Monuments and Markers – Maguire/Landis motion
- Section 508, Storm Water Management Construction Standards – Maguire/Peters motion

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Upon a Maguire/Landis motion, the PTS unanimously accepted the recommendation of the PTPC to approve Final Subdivision Plan 2016-02, with the two remaining contingencies listed below, and all fees being paid.

1. The Engineer/Surveyor's certification should be signed prior to final plan approval.
2. The certification of title and the dedicatory statement should be signed and notarized.

ZONING REPORT – Report was presented.

Kim Lenker Zoning Hearing Board

The Secretary stated the PTS must decide whether they want to be a party to this hearing where Mr. Lenker is appealing the Zoning Officer's decision. Zoning Officer Lenny Sizer sent Mr. Lenker a violation letter informing him he must remove the items from his property to comply with the Zoning Ordinance. Mr. Lenker's attorney is requesting an extension of time to remove the rocks and is requesting approval to crush the concrete on site. DEP has stated crushing on site is acceptable, with the conditions that it only produces clean fill and that no new areas of earth disturbance activities are created. DEP also stated this does not give Mr. Lenker permission to set up a continuous crushing operation nor to bring new materials onto the site. This approval covers only minimal work required to address the Township's notice of violation and order to remove the excessive fill height. DEP indicated that concrete is a material that may be crushed on site. DEP indicated the rock piles must be reduced to ten feet in height.

Chairman Peters stated Lenny Sizer recommended a start date of March 15, 2016 and a completion date of May 13, 2016. With the recommendation of the Township Solicitor, the PTS unanimously approved a Peters/Maguire motion authorizing an extension of the completion date to May 31, 2016, with the following conditions:

1. All fill and material must be removed and all disturbed areas stabilized by May 31, 2016.
2. No additional earth disturbance activities may take place after this date unless approved by the PA DEP in writing.
3. All crushing must qualify as clean fill.
4. No new areas of earth disturbance activities may be created.
5. E&S plan must address restoration of the affected area after the pile reduction is complete.
6. No continuous crushing operation to process new materials is authorized.
7. DEP approval covers only the work needed to meet the township's order/violation letter.
8. Mr. Lenker must withdraw the Zoning Hearing Board application.

The Solicitor will notify Lenny Sizer on the PTS decision. Upon a Peters/Landis motion, the PTS unanimously approved Lenny Sizer to send a letter to Mr. Lenker to notify him of the above.

SEWAGE ENFORCEMENT OFFICER'S (SEO) REPORT —

PARK AND RECREATION BOARD (PTPRB) REPORT –

Rabies clinic will be held on April 2, 2016. Chicken BBQ will be held April 9, 2016.

PENN TOWNSHIP MUNICIPAL AUTHORITY (PTMA)

SEDA-COG Meeting

Daniel Greene, Program Analyst with SEDA-COG, has proposed a meeting with the PTMA, the PTS and representatives of SEDA-COG to discuss the improvement of the Sunshine Hill water supply system. A meeting date will be set in the near future.

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SECRETARY'S REPORT

Resolution for Bank

A resolution must be adopted for a CD at First National Bank of Mifflintown. Upon a Peters/Landis motion, the PTS unanimously adopted this resolution.

Building Code Training

Secretary Klinepeter requested approval to attend training on Sunday, April 17, 2016, to earn credits to maintain her building code certification. This training was unanimously approved by the PTS with a Peters/Maguire motion.

Building Permit Issue

Alisha Hymes applied for a building permit which was reviewed and approved. Ms. Hymes then withdrew her application. She owes \$171.38 in fees for the work that had already been done. This money is due to Pennoni. The Secretary has requested permission to remit to Pennoni the funds owed and to start the process for civil action to recover these funds from Ms. Hymes. Upon a Peters/Landis motion, both of these items were unanimously approved.

ENGINEER REPORT – Nothing to report.

POLICE REPORT – Report was presented.

Chief Pickles stated he has hired the three applicants who were previously approved by the PTS. The PTS also interviewed another candidate whom Chief Pickles requested permission to hire. Upon a Maguire/Peters motion, the PTS unanimously approved the hiring of Gregory L. Sheffer II, and he was sworn in by Chairman Peters.

SOLICITOR REPORT – A report for January was submitted to the PTS.

PERMIT REPORT - Secretary Klinepeter submitted the permit report.

CORRESPONDENCE

Perry County Planning Commission

The Perry County Planning Commission provided the Penn Township Planning Commission (PTPC) with a list of zoning action items for suggested inclusion into Penn Township's zoning ordinances.

Susquenita School District

The school district sent the Township a thank you letter for waiving fees associated with the construction of a stadium storage facility.

Letter from Jeff Bomgardner

Mr. Bomgardner sent a letter requesting payment for fuel related to his personal plowing of snow during the recent storm. Chairman Peters stated there is nothing to address until we receive additional information.

Yingst Homes

Yingst Homes submitted an updated schedule of the planned development at Stone Mill Estates.

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MRM – Property and Liability

The Township received an invitation to attend the annual meeting of the MRM Property & Liability Trust to vote for the election of Trustees. The invitation included a proxy form if no one is available to attend the meeting. Upon a Peters/Maguire motion, the PTS unanimously agreed to send the proxy form.

MRM – Workers' Compensation

The Township received an invitation to attend the annual meeting of the MRM Workers' Compensation Pooled Trust to vote for the election of Trustees. The invitation included a proxy form if no one is available to attend the meeting. Upon a Peters/Maguire motion, the PTS unanimously agreed to send the proxy form.

PPL Line Clearing

PPL sent notification they will be doing tree trimming and clearing along power lines during 2016. The notice did not include specific dates and locations.

Office of Register and Recorder

The Office of the Register and Recorder has requested a written list of names of those who may sign plans. Upon a Maguire/Peters motion, the PTS unanimously agreed to submit the names of the Chairman and Secretary of the PTPC and the Chairman and Secretary of the PTS.

OLD BUSINESS

Newsletter

The newsletter will be mailed on March 17, 2016. Upon a Peters/Maguire motion, the PTS unanimously approved payment to the Secretary for processing the newsletter.

Trash Ordinance

The Secretary provided the PTS with copies of trash ordinances used by other local municipalities. The Chairman asked who is responsible for enforcing the ordinance in Duncannon Borough. The Secretary stated it would be the Codes Enforcement Officer. The Chairman stated he would like to adopt an ordinance similar to Duncannon Borough's and asked the Secretary to draft one for PTS review.

Bob Johnson mentioned another instance where a resident had a dumpster on their property. The Secretary stated a permit would be required for a dumpster if it was located on the street. A discussion occurred regarding the difficulty of enforcing a trash ordinance. Since trash complaints are minimal, Chairman Peters withdrew his request for a draft ordinance to be prepared.

Meeting Visitor Time Limit

The Chairman stated he receives information from PSATS related to meeting guidelines. He stated he would like to see the Township adopt a policy/resolution related to this. The Chairman stated this will be discussed further at the next PTS meeting.

Township Roadmaster/Township Manager

Chairman Peters stated the Roadmaster position was discussed during an Executive Session. He stated he would like to see a dual-responsibility position of Roadmaster/Township Manager. The Chairman stated he reviewed budget numbers and would like to further discuss this issue in executive session. An executive session was scheduled for 5:00 PM, Wednesday, March 2, 2016.

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Perry County Planning Assistance

Chairman Peters stated he did not feel this would benefit us and therefore will not participate in this program.

NEW BUSINESS

Economic Committee

A committee which was led by John Gerner was formed last year to look into bringing business into the Township. Chairman Peters stated he would like to see this committee resume discussions and include business owners. He stated he would also like to see an increase in agriculture which can be sold in the local grocery stores.

Form Budget Committees

Chairman Peters stated he would like to have a budget workshop during 2016 to educate the public on how the budget is prepared.

Bob Gouse stated that Kim Lenker tried to bring a business into Penn Township but was shut down. The Secretary mentioned several items that Mr. Lenker was required to submit in order to open his business and stated DEP did not give its approval to the activities that were occurring.

Jim Fickel commended Brian Maguire for his coordination of resources during the recent snow storm.

Bob Gouse asked if the PTS has considered reinstating the Perdix Fire Company. Chairman Peters stated Perdix should approach the board to continue the discussions which began last year. Upon a Peters/Landis motion the PTS unanimously authorized Solicitor Allshouse to contact the Perdix Fire Company attorney inviting him to resume discussions. Chairman Peters stated he and Chief Pickles attended a meeting today about the Route 11/15 road closure and mentioned several items that require the closure of this road. The road is scheduled to close in May 2016 for a period of 90 days.

ADJOURNMENT

With unanimous approval of a Peters/Maguire motion, the PTS voted to adjourn the meeting at 9:10 PM.

Respectfully Submitted,

Elizabeth Goodhart
Treasurer/Recording Secretary