

**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 March 30, 2016**

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The Penn Township Board of Supervisors (PTS) met in the Municipal Building on Wednesday, March 30, 2016, at 7:06 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 two personnel issues as well as several issues pending litigation.

**VISITORS**

**Henry Holman, Jr.**

Mr. Holman gave a brief report on Highway issues.

Mr. Holman stated he submitted a Right to Know request regarding Holman Drive. He stated the Google map shows Holman Drive goes onto his property when in fact it stops at John Gerner's property. Mr. Holman said people have come onto his property thinking it was a township road. He stated the Google map shows Holman Drive as Township Road 312 which is actually St. Johns Road. Mr. Holman provided the PTS a map from the survey done when his farm was preserved which was accepted by County.

Mr. Holman mentioned the natural gas compression station which has been discussed at recent meetings. He stated the compression stations that were installed forty years ago were never finished and are not able to deliver gas.

Mr. Holman mentioned the economic development committee which was formed during 2015. He stated there was no report provided. He stated the Planning Commission requested this committee be formed and they also never received a report.

Mr. Holman stated the budget does not include funds for a Township Manager and asked where the money for this position will come from. Since he was included in the 2016 budget preparation, he stated there are no general funds available for this position and feels the Township will need to get the money from its Certificates of Deposit. Mr. Holman stated he will be requesting a budget report at the end of each quarter.

**Jim Renner**

Mr. Renner is a member of the Park & Recreation Board (PTPRB) of Penn Township. He mentioned the PTPRB is planning to cover one of the grassy banks with black plastic and stones which he feels will only last a few years. He is proposing that a bird sanctuary be built. He also requested office space near the shed. Chairman Peters suggested they meet with Karen Tilkens, PTPRB Chairman, to discuss further.

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### CeCe Novinger

Ms. Novinger mentioned the financial amounts discussed at the March 17, 2016, PTS meeting during the discussion of the proposed Township Manager's salary. She did not agree with the numbers that were mentioned during that meeting. Ms. Novinger stated she reviewed the 2013 end-of-year Treasurer's report which shows a gain of approximately of \$32,784. She also reviewed the 2015 end-of-year Treasurer's report which shows a loss of approximately \$33,691. Ms. Novinger said that Chairman Peters stated during the March 17 meeting that the Township banked \$160,000 each year during 2013-2015. As an elected auditor, she requested documentation showing where that money was put since current Township financial records do not include those amounts. Chairman Peters stated he would provide that information by the next PTS meeting.

### Stanley Mutzabaugh

Mr. Mutzabaugh mentioned that pending litigation was mentioned in the newsletter. He asked if this was new or previous ongoing litigation. Mr. Mutzabaugh was informed it was previous litigation.

### Kraig Nace

Mr. Nace stated he is working on the 2015 end-of-year call data report. He mentioned there is a \$5 increase to the 2016-2017 EMS subscriptions but will not affect Penn Township residents. Mr. Nace mentioned the mock crash will be held May 6, 2016, at Susquenita High School.

### Jodi Rissinger

Ms. Rissinger mentioned that two former Supervisors verbally requested information this evening without completing the Right to Know paperwork. She was informed that Henry Holman Jr. would need to submit his request in writing. She was also informed that CeCe Novinger's request was made as an elected auditor which does not require the written request.

Ms. Rissinger stated she heard residents were upset about holding the March 17, 2016, PTS meeting at 5:30 PM. Chairman Peters stated the meeting was scheduled at this time because it fit the schedules of the PTS and was not meant to hide anything. Ms. Rissinger stated that a 5:30 PM meeting was not unreasonable.

## **INVOICES AND EXPENDITURES**

With unanimous approval of a Peters/Landis motion, the PTS voted to approve payment of checks 29143 through 29257 (excluding check 29255) totaling \$74,114.38 from the PLGIT General Fund account, ACH payments totaling \$14,624.13 from the Orrstown Bank General account, PTPRB checks 01629 through 01638 totaling \$1,360.16, a transfer from the Orrstown Bank General Fund to PTPRB checking account in the amount of \$1,260.16, two transfers totaling \$30,000.00 from the Orrstown Bank General account to the PLGIT General Fund account, a transfer from the Orrstown Bank General Fund to the Capital Reserve fund in the amount of \$271.50, a transfer from the Petersburg Commons account to Orrstown Bank General Fund of \$5.00, a transfer from the Orrstown Bank General Fund to the Petersburg Commons account of \$5.00, and a transfer from the PTPRB savings account to the PTPRB checking account in the amount of \$100.00.

Check #29255 in the amount of \$260.00 was approved for payment with a Peters/Landis majority vote. Vice-Chairman Maguire abstained from voting on check #29255 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 Peters/Maguire motion.

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### MINUTES

Upon a Landis/Maguire motion, the PTS unanimously approved the minutes of the February 24, 2016, PTS meeting and the minutes of the March 17, 2016, special PTS meeting.

### HIGHWAY REPORT

#### Signal Service

The annual preventive maintenance was performed. The written report from Signal Service indicated 'The 24" white stop bars and pedestrian cross walk pavement markings are worn and need to be repainted.' According to the written report, this is in violation of the PennDot permit. Kraig Nace mentioned Duncannon Borough has a line painter and suggested we contact the Borough and request to borrow it.

#### 2016 Road Project

The project includes finishing Barrick Drive as well as Faculty Road down to Gambers Corner Road. There will be a mandatory pre-bid meeting April 12, 2016, at 9:00 AM. Bids will be opened 1:00 PM Monday, April 25, 2016, and the contract will be awarded during the PTS meeting on April 27, 2016. The Secretary mentioned the prior Roadmaster's end-of-year report states there is a culvert pipe and headwall that must be installed by the road crew prior to the paving project. Upon a Peters/Maguire motion, the PTS unanimously approved advertisement of the bid process.

#### Escalator Clause

The Secretary stated the PTS must determine if they want to include an escalator clause in the bid packet. This clause allows the vendor to charge more than the quoted price if the price of oil increases but only if more than 100 tons of asphalt is used. Engineer Shradley stated many vendors will not bid if there is no escalator clause. The Secretary stated a resolution is required if an escalator clause is used. Upon a Maguire/Landis motion, the PTS voted unanimously approved Resolution 2016-04, Price Adjustment of Bituminous Materials For Small Quantities.

#### Headwaters Resources, Inc.

They have notified us they have ceased operations at the Bruner Island plant where we purchase cinders. Engineer Shradley suggested we contact the Capital Region COG to see if they received bids for anti-skid.

### **PENN TOWNSHIP PLANNING COMMISSION (PTPC)**

The PTPC submitted their annual summary report.

### **ZONING REPORT** – Report was presented.

Per Secretary Klinepeter, the cease and desist is still in effect. She also stated Kim Lenker is requesting a NPDES permit and she would like Zoning Officer Sizer to complete the Municipal Land Use Letter. Upon a Peters/Landis motion, the PTS unanimously agreed to allow Lenny Sizer to complete this form.

### **SEWAGE ENFORCEMENT OFFICER'S (SEO) REPORT** – Report was submitted.

### **PARK AND RECREATION BOARD (PTPRB) REPORT** – Report was submitted.

Karen Tilkens reported the rabies clinic will be held on April 2, 2016. She stated the chicken BBQ will be held April 9, 2016, from 11 AM – 1 PM, and tickets can be purchased in the Township office.

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### **PENN TOWNSHIP MUNICIPAL AUTHORITY (PTMA)**

Henry Holman III, PTMA Chairman, requested support from the PTS and mentioned the PTMA meetings are held the first Wednesday of each month. There is a public meeting scheduled for April 20, 2016, to discuss the Sunshine Hill water situation. Chairman Peters stated there is a meeting scheduled for April 8, 2016, with SEDA-COG to discuss the improvement of the Sunshine Hill water supply system. The Chairman stated he is a member of the support group attending this meeting. He also requested a monthly report from the PTMA Chairman. The PTS unanimously approved this request upon a Peters/Landis motion.

### **SECRETARY'S REPORT**

#### **PPL Trimming Trees**

The Secretary contacted PPL to determine when they will be trimming trees in the Township. PPL indicated they are scheduled for May through July and did not provide specific dates.

#### **Maple Avenue**

The Township received a complaint about a shed blocking Maple Avenue which is a private road. The Secretary stated there are no quick claims on any of the Maple Avenue properties. The Zoning Officer did not issue a permit for a shed request. The Secretary will be checking into this further.

#### **2016 PSATS Proposed Resolutions**

PSATS provided the proposed resolutions for adoption at the April 2016 convention. The Secretary instructed the PTS to provide any comments/input to the Chairman who is our voting delegate at the convention.

**ENGINEER REPORT** – Nothing to report.

**POLICE REPORT** – Report was presented.

- Participating in Aggressive Driving Grant
- Testing mobile printers
- Two officers left to take other full-time employment
- Police vehicle was hit by a deer – Noaker's making repairs

Chairman Peters stated there may be legislation enforcing body cameras. Chief Pickles stated if they are required, there will be grants available to cover a portion of the cost.

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

**PERMIT REPORT** - Secretary Klinepeter submitted the permit report.

### **CORRESPONDENCE**

#### **PennDOT Letter – Marysville Rock Project**

PennDOT sent a letter to business owners affected by the U.S. Route 11/15 road closure. The letter states PennDOT will be lifting the truck route restrictions to allow truck deliveries to local businesses during the road closure.

#### **Weekend Lane Restrictions, Route 22/322**

PennDOT will be installing 'gates' on Route 22/322 that will be used to divert traffic during traffic accidents, eliminating the need to shut down the highway.

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### Carol Walters

Mrs. Walters sent a letter stating her neighbors are target shooting and is afraid someone may accidentally be shot. The Solicitor suggested we notify the neighbor of the complaint and ask them to be careful. Engineer Shradley offered to check their files for the Game Commission regulations covering requirements for a shooting range.

### **OLD BUSINESS**

#### Meeting Visitor Time Limit

The Secretary provided the PTS with draft ordinances covering meeting agendas and public comments. Upon a Peters/Landis motion, the PTS unanimously agreed to table this to allow further review.

#### Dino and Citgo Properties

Upon a Peters/Landis motion, the PTS voted unanimously to engage the UCC inspector to inspect these properties. Secretary Klinepeter will contact PPL to determine if the electric service has been disconnected at both properties. Bob Johnson mentioned that "No Parking" signs have been posted at both properties.

#### Perry County Dirt and Low Volume Roads

Vice-Chairman Maguire, who is the temporary Roadmaster, stated we will not participate in this program.

#### 12 Rupp Road

Bob Hollabaugh, UCC Inspector, stated this property can be declared unsafe. A draft letter was prepared for the owner informing them of the deadline to repair the property. Upon a Peters/Maguire motion, the PTS unanimously gave approval for the Secretary to mail this letter.

There is also a mobile home located on this property. Upon a Peters/Maguire motion, the PTS unanimously voted to engage Bob Hollabaugh to inspect the mobile home. If Mr. Hollabaugh determines the mobile home should be condemned, unanimous approval was given upon a Peters/Landis motion for the Secretary to mail a second letter to the owner.

#### Outside Police Employment

This issue was tabled to next meeting upon unanimous approval of a Peters/Landis motion.

#### Economic Committee

Chairman Peters contacted John Gerner of the Economic Committee who stated the committee will meet to determine the direction the committee should take. Mr. Gerner stated he attended a meeting hosted by Senator Rob Teplitz regarding grants and loans that may be available.

### **NEW BUSINESS**

#### House Bill 340

This bill will amend the state Sunshine Law. One of the changes requires executive sessions be recorded for use in the event of a legal proceeding. PSATS provided a draft letter for municipalities to send to Representative Mark Keller and Senator Rob Teplitz requesting they vote no on this bill. Upon a Landis/Maguire motion, the PTS approved the mailing of this letter with a majority vote. Chairman Peters voted nay.

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**Perry County Chamber of Commerce**

The Secretary sent a letter to the Chamber of Commerce asking how they plan to support the businesses along U.S. 11/15 who will be affected by the road closure. The Chairman stated he would like to see our township do something to help these local businesses, e.g., Business Bingo, etc. Stanley Mutzabaugh suggested we contact Lee Wright who meets weekly with other business owners to discuss this topic and ways to attract business during the road closure.

There is a meeting scheduled for April 7, 2016, to discuss the Township Manager position ordinance. A Hearing to adopt the ordinance was scheduled for 6:00 PM, Wednesday, April 27, 2016. Upon a Peters/Maguire motion, the PTS unanimously approved the advertisement of the Hearing to adopt the ordinance for the Township Manager on April 27, 2016, at 6:00 PM.

**ADJOURNMENT**

With unanimous approval of a Peters/Landis motion, the PTS voted to adjourn the meeting at 9:07 PM.

Respectfully Submitted,



Elizabeth Goodhart  
Treasurer/Recording Secretary