

**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 September 28, 2016

The Penn Township Board of Supervisors (PTS) met in the Municipal Building on Wednesday, September 28, 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), Solicitor Mark Allshouse, Engineer Max Shradley, Police Chief Richard Pickles, Roadmaster Ken Chubb, 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 were Executive Sessions held on September 8, 2016, and September 16, 2016, regarding personnel issues and on September 28, 2016, regarding potential litigation and personnel issues with no actions taken.

VISITORS

Frank Boyer

Mr. Boyer requested the Driveway Permit issued to Mr. Forrer for Spur Lane be withdrawn. He stated the minimum site distance requirement and feels there is no site distance at all. He previously reported to the PTS that when cars exit using this driveway, their headlights shine into his home. He said he was informed at that time that it is ridiculous about illuminating properties since it happens all of the time with cars driving around. He stated later that week he read in the newspaper that proposed storage units were denied by the township due to headlights illuminating a residential neighborhood. Mr. Forrer's engineer previously reported that this driveway was for residential use only. Since the remaining residence on Mr. Forrer's property is going to be demolished, Mr. Boyer stated the driveway permit should be revoked. Mr. Forrer cleared Mr. Boyer's property to give him additional sight distance. Mr. Boyer again requested the driveway permit be withdrawn since it is for residential use only and the house is scheduled to be demolished.

Secretary Klinepeter stated the demolition permit was issued. Mr. Forrer informed her the house will be demolished after the current residents move out at the end of the month.

Solicitor Allshouse stated as long as there is residential occupancy, Mr. Boyer could write a letter to Mr. Forrer stating that a note be made on any future Land Development Plan stating this driveway permit will be revoked.

Dave Licht

At the last meeting Mr. Licht provided pictures of several intersections with limited visibility. The PTS stated someone would look into this situation and get back to him. Mr. Licht asked what action has been taken. Chairman Peters stated the Roadmaster checked into the situation. Roadmaster Chubb stated he contacted our PennDot representative Rick Levine who stated even though the obstructions are not on the township right-of-way, PennDot still feels it is our problem. Solicitor Allshouse stated the township can take action only if it falls within our right-of-way. Since the areas in question fall within PennDot's right-of-way, we have no authorization to take any action, except to take ownership of someone's property but only if the court would allow it. The Solicitor suggested we write a letter to the resident and ask him to cut the corn

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back. Mr. Licht asked why we can't nicely talk to him rather than sending a letter. Chairman Peters stated the Linton Hill area is in Wheatfield Township. The Roadmaster stated he tried to talk to the property owner in person but was unable to make contact. He did call the resident who was not very receptive and was more interested in who reported it than cooperating to increase visibility. Mr. Licht stated he does not want this to just go away, because the issue will be there again next year. The Chairman stated he would discuss with our Solicitor.

CeCe Novinger

Ms. Novinger mentioned Jim Ryan's article in the September 15, 2016, edition of The Duncannon Record regarding Penn Township. Ms. Novinger stated there were several inaccuracies reported in that article. Chairman Peters stated rather than discuss this at the PTS meeting, she should contact Mr. Ryan's supervisor at the newspaper.

Nicholas Noss

Mr. Noss submitted a letter requesting Farm Machinery and Pedestrian Crossing signs be posted at his property on Faculty Road, as well as speed limit signs. Mr. Noss agreed to pay for the signs which would become township property. The Secretary stated she would check to see if a road study was previously done at this location. Upon a Peters/Landis motion, the PTS unanimously approved the placement of two sets of signs with the cost being paid by Mr. Noss.

Robert Benner

Mr. Benner asked about the status of the Rupp Road demolition. He stated rodents have taken over the properties. The Solicitor stated rather than litigate each item separately, if all items are processed at the same time, we only pay one fee rather than three.

Mr. Benner mentioned that GPS instructs visitors to Stonebridge Nursing Home by way of his driveway. He stated he has three No Trespassing signs on his property. Mr. Benner stated he has tried to discuss this with someone at Stonebridge several times but has not been successful. He asked for assistance from the PTS or the Police to correct this problem. The Secretary stated PennDot would need to have the GPS corrected. Mr. Benner stated he is going to write down license plates and wants them charged with trespassing and he will be prosecuting. Chairman Peters stated he will discuss with Stonebridge. Engineer Shradley mentioned that directional signs can be placed on a state highway. Roadmaster Chubb will confirm this with our PennDot representative.

Lee Wright

Mr. Wright stated there is a dip in Hickory Road. The Roadmaster stated the culvert is being replaced.

Tom Hoffman

Mr. Hoffman lives on the corner of Rupp and Faculty Roads and asked about the status of the proposed dog training facility on Rupp Road. Mr. Hoffman was informed the property is up for sale.

Harold Liddick

Mr. Liddick lives at 2201 State Road in the vicinity of Forrer Dodge. He stated he has learned that Forrer Dodge is planning to build a service garage where there is currently a residence which is scheduled for demolition. Mr. Liddick said he does not object to the service garage, but is opposed to the location. The Secretary stated she has not received anything for this project. She stated Forrer Dodge would need to submit a Land Development Plan which is

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reviewed by the Penn Township Planning Commission (PTPC) and then by the PTS. Mr. Liddick was informed he could attend the PTPC and PTS meetings to express his concerns.

Susan Smith

Ms. Smith called the Perry County Courthouse about 10 and 12 Rupp Road properties since there were scheduled for Sheriff sale for unpaid taxes. Ms. Smith was informed that a portion of the taxes were paid, thereby avoiding the Sheriff sale. She asked how the home owners could avoid the Sheriff sale by paying only a portion of the taxes. The Solicitor explained that the State allows home owners to owe up to two years of taxes before it goes up for tax sale. If the home owner makes a payment of one year's taxes, the property is removed from the tax sale. After another year when the property taxes are two years' delinquent, the property goes up for tax sale.

Ms. Smith stated that rather than depositing snow on the private area of Rupp Road or in front of Mr. Benner's driveway, she gave permission to deposit snow on her property at 14 Rupp Road. Chairman Peters stated the Roadmaster will prepare an agreement for Ms. Smith's signature.

Jesse Boyer

Mr. Boyer is on the UCC Appeals Board and has requested an official ID stating his position.

INVOICES AND EXPENDITURES

With unanimous approval of a Peters/Landis motion, the PTS voted to approve payment of checks 29657 through 29693 (excluding check 29688) totaling \$37,507.66 from the PLGIT General Fund account, ACH payments totaling \$38,356.25 from the Orrstown Bank General account, PTPRB checks 01670 through 01674 totaling \$560.31, a transfer from the PTPRB savings account to the PTPRB checking account in the amount of \$560.31, and two transfers from the PLGIT General Fund to the Orrstown Bank General Fund totaling \$20,000.

Check #29688 in the amount of \$552.50 was approved for payment with a Peters/Landis majority vote. Vice-Chairman Maguire abstained from voting on check #29688 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.

MINUTES

Upon a Peters/Landis motion, the PTS unanimously approved the minutes of the August 25, 2016, Budget Workshop meeting and the August 31, 2016, PTS meeting.

HIGHWAY REPORT – Report was presented,

Water Issues

The township received a water complaint from 110 Jefferson Street. The Roadmaster reviewed the situation and reported his findings in a letter to the PTS. Upon a Peters/Maguire motion, the PTS unanimously authorized the Roadmaster to move forward with preparing a cost quote for the property owner and getting the property owner to sign an easement document.

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Equipment Plan

The Roadmaster prepared a list of equipment which is no longer needed and could be sold. He also provided a list of equipment the Highway Department needs. Upon a Peters/Landis motion, the PTS unanimously authorized the Roadmaster to sell the 38-ton truck by sealed bids, with the right to reject all bids, and for the Secretary to advertise the sale of this truck.

Public Meeting

Mr. Chubb stated a big problem in the township are the shoulders of roads. The road crew has fixed some areas. However, in some areas where residents' mowing meets the roadway, the residents may not be happy. The Roadmaster requested a public meeting to explain what needs to be done and why it is important. Upon a Peters/Landis motion, the PTS unanimously agreed to schedule a Highway Workshop for Thursday, October 20, 2016, at 7:00 PM.

Paving Plan

Mr. Chubb provided the PTS with a new 12-year paving plan.

Sight Distance Update

The Roadmaster contacted our PennDot representative about recently reported sight distance obstructions. He was informed this is the township's problem. Mr. Chubb stated he takes this issue seriously. He suggested residents roll down their windows to listen instead of relying on sight in the problem areas. The Roadmaster stated there are several more areas with limited sight distance.

Probation

A highway employee's probation period will be ending shortly. The Roadmaster recommends the employee continue as a full-time employee. Upon a Peters/Landis motion, the PTS unanimously approved a 20¢/hour increase effective with the end of the probation period.

E-3 Oil Tank Agreement

The PTS has a signed agreement with Henry Holman Jr. to use the E-3 oil tank and the heavy-duty trailer to transport the roller. Upon a Peters/Maguire motion, the PTS unanimously agreed to renew this agreement in March 2017 with the same terms. The Roadmaster agreed to renew the agreement for the oil tank but stated the trailer must be replaced as soon as possible.

Part-time people for snow plowing

The Roadmaster feels there should be a list of people who can assist with plowing snow if needed. Chairman Peters stated a note should be included on the newsletter insert that the township is preparing a list of people who have snow plowing experience.

Lee Wright asked how many CDL drivers the township employs. The Roadmaster stated there is currently one employee with a CDL license.

PENN TOWNSHIP PLANNING COMMISSION (PTPC) – No report submitted.

PENN TOWNSHIP ECONOMIC DEVELOPMENT – No report submitted.

ZONING REPORT – Report was presented.

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

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

The Secretary stated the Halloween party is scheduled for October 22, 2016, from 2:00 PM to 4:00 PM. She also stated the PTPRB received a quote to replace the garage door on the concession stand building.

PENN TOWNSHIP MUNICIPAL AUTHORITY (PTMA) – Draft September minutes were submitted.

SECRETARY'S REPORT

Pipeline Road Repair Agreement

Upon a Peters/Landis motion, the PTS unanimously affirmed the text of an agreement from Texas Eastern Transmission, LP, dated September 6, 2016, subject: Penn Jersey Anomaly Project 2016 ("Project").

Garage Door Quotes

The Baker Door Company provided quotes to replace the garage door on the Park concession stand and to replace and repair the bottom section of the Highway garage door. Upon a Peters/Maguire motion, the PTS unanimously accepted the proposal to replace/repair both doors.

Timecard Policy and Procedures

The HR policy titled "Time Card Policy and Procedures" was unanimously approved with a unanimous Peters/Landis motion.

Random Drug Test Policy

The Secretary provided the PTS with a draft Drug-Free Workplace Policy for their review and information.

Training

The Secretary requested to attend the training class "2016 Human Resources and Labor Management Institute" at a cost of \$119. This training was unanimously approved by the PTS with a Peters/Landis motion.

Solicitor

The Secretary mentioned a Conflict Disclosure Consent letter from McNees Wallace & Nurick dated September 13, 2016. Chairman Peters stated the PTS reached a consensus during an Executive Session but this item must be approved during a PTS meeting. Due to potential litigation and personnel issues, the PTS felt they must pursue a Human Resources (HR) attorney. The agreement included a cost structure and included the agreement they will only represent the township in HR issues, and Mark Allshouse will continue to represent the township in non-HR issues. Upon a Peters/Landis motion, the PTS unanimously agreed to hire McNees Wallace & Nurick as the township's HR attorney.

Lee Wright asked if the township is being sued. Chairman Peters said we are not, but we need to be prepared and make sure our HR policies and procedures are correct to protect us during potential litigation. Chairman Peters stated the billing ranges from \$155 - \$500/hour depending upon the expertise required.

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ENGINEER REPORT – Report was submitted.

MS4 Permits

Engineer Shradley stated he updated the mapping of items needed for submission to the Department of Environmental Protection for a waiver of the 2018 MS4 permits. The Roadmaster will field verify the mapping for accuracy.

Request for Proposals (RFP's)

The township received five RFP's for township Engineer for 2017. The proposals received were submitted by Rettew, Light-Heigel & Associates, Inc., HRG, William F. Hill & Assoc., and Pennoni. Upon a Peters/Landis motion, the PTS unanimously agreed to retain Rettew as the township Engineer for 2017.

POLICE REPORT – Report was presented.

- Received a resignation from CPL Myers effective September 20, 2016
- Officers Murphy and Snook have finished their probation
- Completed a grant and another to begin
- Marked SUV in shop to replace water pump
- Marked sedan involved in accident during drug bust

Upon a Peters/Maguire motion, Officers Murphy, Snook and Kavadias should be taken off probation and increase their pay to permanent part-time salary. This motion was withdrawn. Upon a Peters/Landis motion, the PTS unanimously agreed that Officers Murphy and Snook should be taken off probation and their pay increased to the permanent part-time salary effective with their six-month anniversary date. This same motion included Officer Kavadias, who has reached his six-month anniversary but should remain on probation with no change to his pay.

Lee Wright stated he read that Duncannon Borough has submitted a revised Police contract with a much lower amount. The Solicitor stated he received their proposal yesterday and has not yet reviewed it or forwarded to the PTS.

SOLICITOR REPORT – A report was submitted to the PTS. The Solicitor stated a trial date has been set for the Ward case.

PERMIT REPORT - Secretary Klinepeter submitted the permit report.

CORRESPONDENCE

Electronic Recycling

The County has scheduled electronic recycling for October 1, 2016, at the Newport Fairgrounds. Televisions and monitors will be accepted with a price.

OLD BUSINESS

Budget Workshops

Secretary Klinepeter stated there is a budget workshop scheduled for September 29, 2016, at 7:00 PM for the office and any other unfinished budget items.

Newsletter

The newsletter will be mailed Monday, October 3, 2016.

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Request for Proposals (RFP) – UCC Inspectors

Secretary Klinepeter stated she calculated the fees for a 2500 square foot house using the rates as a member of the COG and as a non-member. An RFP was received from Building Inspector Underwriters (BIU) in New Bloomfield. Mr. Gensemer of BIU stated his company has a separate fee schedule for members of the COG which he will provide to the Secretary. Upon a Peters/Landis, the PTS unanimously agreed to hire BIU as the township UCC inspector for 2017 without joining the COG. An executive session will be scheduled with BIU to inform them of current issues.

Jesse Boyer asked if there are any benefits to joining the COG. The Secretary stated if the COG made group purchases at a discount, it could be a benefit. The Secretary will check to see if there are additional benefits to membership in the COG.

George Junior Republic – Community Service Coordinator

Drew Tush is a Community Service Coordinator who works with Perry County Probation. Upon a Peters/Maguire motion, the PTS unanimously agreed to participate in this program.

PSATS Board of Trustees

The term of one member of the Board of Trustees of the Pension Trust, the UC Trust, and the Health Trust will expire at the end of 2016. The Executive Board of PSATS has nominated Michael Keller to fill the open positions. Official ballots were mailed to municipalities on September 6, 2016. Upon a Peters/Landis motion, the PTS unanimously agreed to mail the proxy for these three positions.

Lee Wright asked for the status of the police audit. The Solicitor stated the audit began recently.

NEW BUSINESS - None

ADJOURNMENT

With unanimous approval of a Peters/Landis motion, the PTS voted to adjourn the meeting at 9:38 PM.

Respectfully Submitted,



Elizabeth Goodhart
Treasurer/Recording Secretary