

**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 October 26, 2016**

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The Penn Township Board of Supervisors (PTS) met in the Municipal Building on Wednesday, October 26, 2016, at 7:10 PM. Chairman Brian Peters, Vice-chairman Brian Maguire and Supervisor Joseph Landis were in attendance. Other personnel present were Helen Klinepeter (Secretary), Engineer Max Shradley, Police Chief Richard Pickles, Roadmaster Kenneth 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.

Chairman Peters stated the Wireless Ordinance is being amended to update the definition of antennas. Upon a Peters/Landis motion, the PTS unanimously approved Penn Township Wireless Ordinance No. 2016-02.

The Chairman stated there were Executive Sessions held on October 11, 2016, October 20, 2016, and October 26, 2016, regarding personnel issues.

**VISITORS**

**CeCe Novinger**

Ms. Novinger asked if there will be another budget workshop meeting. Chairman Peters stated it is scheduled for November 9, 2016, at 6:00 PM.

**Robert Benner**

Mr. Benner asked for an update on Stonebridge. Chairman Peters spoke to Catherine at Stonebridge who has not replied to him yet. The Chairman contacted Jason Finnerty at the Perry County Courthouse who referred him to Dave Ulrich and also to the State who works with GPS. The cost of the sign is \$800 and \$75 for the permit. Chairman Peters hopes Stonebridge will pay a portion of these costs.

**Susan Smith**

Ms. Smith requested that items being worked on be included under the Old Business category. Ms. Smith also asked for updates on 10 and 12 Rupp Road and 303 New Bloomfield Road. The Secretary stated 12 Rupp Road is being cited for trash, and 10 and 12 Rupp Road are going to court. Secretary Klinepeter will check into the status of 303 New Bloomfield Road.

**Stanley Mutzabaugh**

Mr. Mutzabaugh asked if the Police contract will be discussed tonight. The Chairman stated it will be discussed.

**Lee Wright**

Mr. Wright asked if there was any discussion on combining the Marysville police department with Penn Township. He mentioned that Chief Pickles had previously suggested combining Marysville's records management systems with ours and asked if that is a possibility. Chief Pickles said it could be possible. Supervisor Landis stated Marysville has one full-time officer

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and stated we will remain as is but could discuss in the future. Chairman Peters stated he would like to look at creating a regional police force in the future.

### Furnley Frisch

Mr. Frisch stated he had a sand mound septic system approved on Barnett Drive in 1992. He stated the PTS and the Solicitor then sent him a cease and desist order. Mr. Frisch asked if the cease and desist order is still in effect and if it is, he will be taking legal action. Chairman Peters stated the Secretary will check into this.

### **INVOICES AND EXPENDITURES**

With unanimous approval of a Peters/Landis motion, the PTS voted to approve payment of checks 29694 through 29745 (excluding check 29738) totaling \$29,606.80 from the PLGIT General Fund account, ACH payments totaling \$41,956.51 from the Orrstown Bank General account, Liquid Fuels check 249 in the amount of \$10,168.00, PTPRB checks 01675 through 01679 totaling \$707.19, a transfer from the PTPRB savings account to the PTPRB checking account in the amount of \$707.19, and two transfers from the PLGIT General Fund to the Orrstown Bank General Fund totaling \$20,000.

Check #29738 in the amount of \$80.00 was approved for payment with a Peters/Landis majority vote. Vice-Chairman Maguire abstained from voting on check #29738 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/Maguire motion, the PTS unanimously approved the minutes of the September 28, 2016, PTS meeting. Upon a Peters/Landis motion, the PTS unanimously approved the minutes of the September 29, 2016, Budget Workshop meeting.

**HIGHWAY REPORT** – Report was presented. The Roadmaster highlighted a few items on his report:

- Replaced the pipe culvert on Hickory Drive
- Placed R-4 stone on Faculty Road ditch
- Tar and chipped cracks in roadway

The Secretary stated we received one bid for the dump truck of \$5,000. The Roadmaster stated the trade-in value is \$2,500. Upon a Peters/Landis motion, the PTS unanimously agreed to accept the bid of \$5,000 from Duncannon Borough for the dump truck and plow, as advertised in the October 13, 2016, edition of the Duncannon Record.

**PENN TOWNSHIP PLANNING COMMISSION (PTPC)** – No report submitted. The Secretary stated the PTPC had a workshop.

**PENN TOWNSHIP ECONOMIC DEVELOPMENT** – Report was submitted. The committee is targeting recreation and tourism and is working with the Duncannon Borough committee. Secretary Klinepeter mentioned this committee is updating the Penn Township Municipal Map

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and Directory and would like to include Duncannon Borough. Upon a Peters/Landis motion, the PTS unanimously approved the joint map municipal directory with Duncannon Borough.

**ZONING REPORT** – Report was presented.

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

**PARK AND RECREATION BOARD (PTPRB) REPORT** – Report was submitted. Karen Tilkins thanked Lee Wright for donating the pumpkins for the Halloween party.

**PENN TOWNSHIP MUNICIPAL AUTHORITY (PTMA)** – Draft October minutes were submitted. Henry Holman III mentioned several areas which should be cleared of snow, i.e., Kinkora, Cove plant, Sunshine Hill, and a path to the pumping station behind Leonard's. Mr. Holman invited residents to attend the PTMA meeting on November 2, 2016, to review the draft budget.

### **SECRETARY'S REPORT**

#### **Comfort Tech**

Comfort Tech sent notification they are increasing their labor rate by \$3.00/hour beginning November 1, 2016.

#### **Kim Lenker NPDES Permit**

Mr. Lenker has received NPDES Permit coverage for his project. Secretary Klinepeter plans to request a copy of the plan through the Open Records process since this plan is different than the conditional use plan. The cease and desist order is still in effect.

#### **Newsletter Payment**

The Secretary requested payment for processing the newsletter. The payment is \$1,000 gross less taxes. Upon a Peters/Maguire motion, the PTS unanimously approved the \$1,000 payment for Secretary Klinepeter.

**ENGINEER REPORT** – Report was submitted.

#### **MS4 Permits**

Engineer Shradley stated they are continuing work on the MS4 permit.

**POLICE REPORT** – Report was presented.

- Working the Buckle-up grant and the Aggressive Driving grant
- Dodge Charger repaired by Noaker's
- Buckle-up grant ends by Friday, October 28, 2016

#### **Police Contract**

Chairman Peters stated there is ongoing discussion on this contract. He stated Penn Township offered to reduce the fourth quarter payment to \$37,500, but Duncannon Borough made a counteroffer of \$32,629.30. The Chairman stated revenues have been down and the township must be fiscally responsible. He stated the township recently implemented no overtime, an employment freeze, a hiring freeze, and an elective spending freeze. A motion was made to request a payment of \$37,500 from Duncannon Borough. Darryl Croutharmel of the Duncannon Borough Safety Committee stated the vote to approve a payment of \$32,629.30 was very close. He stated if there was another vote to approve a payment for \$37,500, he did not feel it would be approved. Chairman Peters stated the Board worked with both the

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township and borough solicitors to open negotiations for the funding of this contract. Upon a Peters/Maguire motion, the PTS unanimously agreed to request payment of \$37,500 for the fourth quarter payment.

Susan Smith mentioned the HR audit and asked if this should continue if finances are tight. The Chairman stated the funds for the HR attorney to review our HR policies were approved a few months ago. He also stated the police audit will be paid from the 2017 budget.

CeCe Novinger asked from where the HR attorney's fees will be paid. The Secretary stated they will be paid from the 2016 budget.

Supervisor Landis stated one of the reasons for hiring an HR attorney is to review the township's policies. Ms. Novinger asked if the HR attorney will keep the township updated going forward. Supervisor Landis stated PSATS will provide these updates.

A conversation took place regarding the need for the two attorneys who are currently working for the township.

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

Secretary Klinepeter stated John Holman appealed his Right to Know request since she granted a partial denial. District Attorney Bender issued a Hearing date of November 1, 2016. Solicitor Allshouse cannot represent the township since Mr. Holman previously contacted him on this issue, so he requested a 15-day continuance to allow the township to obtain legal counsel for this issue. Dennis Shatto was contacted and agreed to represent the township. Upon a Peters/Maguire motion, the PTS unanimously approved the hiring of Dennis Shatto for the John Holman Right to Know issue.

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

### **CORRESPONDENCE**

#### **Perry County Tax Assessment**

A Hearing is scheduled for a resident who wants their assessment changed, and the township is invited to attend. Chairman Peters stated the township will not attend.

#### **Perry County Crime Stoppers**

The Perry County Crime Stoppers have requested a donation. Upon a Peters/Landis motion, the PTS unanimously approved a donation of \$150 to the Perry County Crime Stoppers.

#### **HACC Foundation**

The HACC Foundation has requested a donation for the training of EMT's. No action was taken by the Board.

#### **Commuter Services in PA in Perry County**

This organization works to reduce traffic congestion. They have asked us to promote their free services. The Board agreed to promote their service and instructed Secretary Klinepeter to contact them.

#### **Girl Scouts**

Girl Scout Troop 10627 sent a thank you note to the Supervisors for helping them with their project making homes for stray cats.

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### Medicine Shoppe

The Medicine Shoppe has asked if they can set up an area for DermaView screening on election day. DermaView is an ultraviolet screening of the face and is done by a nurse from the Medicine Shoppe. The nurse will also offer flu shots. The Board agreed to allow this service.

### Perry County Planning Commission (PCPC)

The township received a letter from the PCPC, subject "General Consistency Review – PA Small Water & Sewer Program Grant Application – Duncannon Borough Sewer Line Replacement". The PCPC stated "After formal review, the Perry County Planning Commission (PCPC) finds the project to be consistent with Perry County's land use recommendations found in the Perry County Comprehensive Plan".

### Antwond Request

Antwond is a 2nd grader at Susquenita Elementary School and is requesting we sponsor him during the 2016 Race For Education. Upon a Peters/Landis motion, the PTS unanimously approved a \$25 donation to the 2016 Race For Education.

## **OLD BUSINESS**

### Appalachian Trail

The Appalachian Trail applied for a Driveway Permit for a parking lot on Inn Road. The parking spaces would remain as dirt, and they are proposing a fence which requires a PA One call. The Chairman stated if there is a locked gate, the PTMA needs a key. Ms. Novinger mentioned the need to access the sewer lines in case of emergency. Engineer Shradley stated you can't build over PTMA easements. The PTS unanimously agreed to table this issue to research further with a Peters/Maguire motion.

### Budget

Due to budget constraints, Chairman Peters proposed a partial payment to the EMS with the remainder being paid in December, if finances allow, or in early 2017. Upon a Peters/Maguire motion, the PTS unanimously approved a payment of \$7,500 to the EMS.

Upon a Peters/Landis motion, the PTS unanimously approved a payment to the Duncannon Fire Company of \$12,500. The Chairman stated quarterly payments will be reviewed beginning 2017.

Bob Johnson asked for the status of the Citgo property. The Secretary stated Mr. Bratic received a permit to "beautify" the building. The Solicitor is taking action on this property.

## **NEW BUSINESS**

### Personnel Matter

Chairman Peters made a motion to "lay off Chief Pickles effective October 28, 2016, to the approved terms of the separation agreement that were discussed during executive session". Supervisor Landis seconded the motion. This motion passed with a majority vote. Vice-chairman Maguire voted no. Chairman Peters stated there will be an executive session after the PTS meeting with Chief Pickles to further discuss the details.

The Chairman stated the HR attorney recommended that Supervisor Landis temporarily perform the administrative duties of the police department. His duties will not include any police duties. He will oversee the department as well as reorganize the department. Chairman Peters stated the vacant Corporal position will be filled with a full-time officer after a new police chief

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has been hired. Chairman Peters stated Supervisor Landis will continue to work with the Police department audit. He also stated the auditor feels we have good officers that have great potential, and with the development of those officers, the Penn Township Police Department could be an example to all of Perry County. The Chairman stated the District Attorney and the District Magistrate will be notified on Thursday, October 27, 2016, of these changes.

Mr. Holman asked the Chairman who chose to hire the police officers currently employed by Penn Township. Chairman Peters stated Chief Peters would vet applicants and the Board would give the approval to hire. Ms. Novinger asked if the layoff of Chief Pickles is a result of the police department audit, and she was informed it is not.

Lee Wright asked about the hiring process for the new police chief. Chairman Peters stated the position will be advertised, and the Board does not have anyone specific in mind for the position. Mr. Wright said the Chairman discussed this issue outside executive sessions. Chairman Peters stated he did not discuss with anyone other than authorized people.

Steve Bradney suggested the Board re-examine the costs for police services.

A conversation occurred about the downside of hiring part-time officers because they eventually leave for full-time jobs with benefits. Response by Penn Township police and the PA State Police was also discussed.

By a majority vote of a Peters/Maguire motion, the PTS approved to hire Joseph Landis part-time to perform the administrative duties until a police chief is hired. Mr. Landis' hiring is subject to the auditors approving the salary for the position. Supervisor Landis abstained from voting since he was the subject of the motion. By a majority vote of a Peters/Maguire motion, the PTS will request the auditors set a rate of \$17/hour for Joseph Landis as the salaried police administrator with benefits if needed. Supervisor Landis abstained from voting since he was the subject of the motion. Based on new Department of Labor requirements for salaried employees effective December 1, 2016, Chairman Peters rescinded this motion which was seconded by Vice-chairman Maguire.

By a majority vote of a Peters/Maguire motion, the PTS will request the auditors set a rate of \$17/hour for Joseph Landis as the non-exempt police administrator with benefits, if needed. Supervisor Landis abstained from voting since he was the subject of the motion.

Chief Pickles was the Emergency Management Coordinator for Penn Township. Upon a Peters/Maguire motion, the PTS unanimously agreed to relieve Chief Pickles of this position.

### CD's

Chairman Peters stated given the funds available after all bills have been paid and the township's lack of revenue, we must consider cashing in a CD and perhaps raise taxes. Ms. Novinger stated she has seen this coming for several months. By a majority vote of a Peters/Landis motion, the PTS approved to withdraw \$50,000 from a CD. Vice-chairman Maguire voted nay. Susan Smith stated former Chairman Holman predicted these actions would occur.

Chairman Peters stated he would like a letter be mailed to the Marysville Chief of Police thanking him for loaning a police vehicle to the Penn Township police department during repairs to our vehicles.

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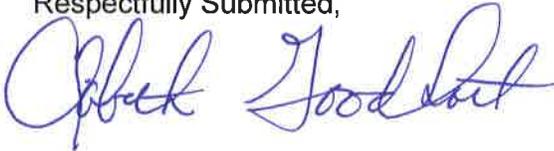
The Chairman stated he was recently informed that Perry County is considered a "sanctuary county" where criminals who reside here cannot be touched. He stated Mark Keller brought this to the attention of the Perry County Commissioners. Chairman Peters stated he would like a letter be sent to the Commissioners requesting they adopt a resolution stating Perry County is not a sanctuary county and to do this quickly. The Chairman stated Rob Teplitz and Mark Keller should be copied on our letter to the Commissioners.

Chairman Peters stated he would like a letter be sent to Rob Teplitz and Mark Keller expressing our dissatisfaction with failing to bring property tax reform to Pennsylvania. Upon a Peters/Maguire motion, the PTS unanimously authorized the Secretary to prepare this letter for PTS review.

**ADJOURNMENT**

With unanimous approval of a Peters/Maguire motion, the PTS voted to adjourn the meeting at 10:40 PM.

Respectfully Submitted,



Elizabeth Goodhart  
Treasurer/Recording Secretary