

**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 December 28, 2016**

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The Penn Township Board of Supervisors (PTS) met in the Municipal Building on Wednesday, December 28, 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), Solicitor Mark Allshouse, Engineer Max Shradley, 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.

The Chairman stated there were no Executive Sessions.

**VISITORS**

**Robin Vorous – Insurance Package**

Ms. Vorous presented the 2017 Insurance package to the Board. She obtained quotes from three different companies, and recommended MRM Property & Liability Trust to continue as the insurance company for the township. A Peters/Maguire motion was unanimously approved to accept the quote from MRM.

**Carolyn Carnes**

Ms. Carnes asked if the township has received the 2017 unemployment rate. The Secretary stated she has not received it as yet.

**Jesse Boyer**

Mr. Boyer asked the Solicitor how many lawsuits the township is currently involved in. He also asked how much was paid to the HR attorney during the month. Solicitor Allshouse stated the current lawsuits are Perdix, Ward (has been resolved), Qualls (is not a lawsuit but is a codes enforcement issued for trash), Qualls condemnation (has been resolved), Dusan Bratic (both Citgo and Dino's have been resolved except for items before the District Magistrate). The Solicitor stated he is involved in only one lawsuit. Treasurer Goodhart stated \$869 was paid to the HR attorney this month.

**Susan Smith**

Ms. Smith asked if there will be a Hearing for the trash problem at the Qualls property. Secretary Klinepeter stated there will be a Hearing and will inform Ms. Smith of the date. Ms. Smith questioned the police revenue included in the budget. The Secretary stated the township will continue to receive money for restitution and tickets. Ms. Smith asked if there will be police available for upcoming court cases. Supervisor Landis stated District Attorney (DA) Benner will determine on a case-by-case basis if police will be required for outstanding cases. Supervisor Landis stated all evidence will be turned over to the DA. Ms. Smith asked about the use of the speed tracking device set up on New Bloomfield Road. She also asked if the Pennsylvania State Police (PSP) have been informed of the township police department suspension. Supervisor Landis stated the PSP has been informed. Ms. Smith asked if the \$65,000 fire company donation included in the budget will be given to Perdix Fire Company. Chairman

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Peters stated the Perdix negotiations are still in progress. Ms. Smith questioned the budgeted revenue for local earned income tax.

### Stanley Mutzabaugh

Mr. Mutzabaugh asked if Richard Pickles is receiving unemployment benefits. Secretary Klinepeter stated she has not been notified that he has filed. Mr. Mutzabaugh asked if the township receives a portion of fines paid when the PSP fines motorists within the township. Supervisor Landis stated that varies case by case. Mr. Mutzabaugh asked who will administer the Fire Tax funds. The Chairman stated those funds will be released by the PTS.

### John Gerner

Mr. Gerner asked if a resolution must be passed in order to implement a Fire Tax. The Secretary stated the resolution will be passed tonight. The Solicitor stated the resolution does not need to be advertised.

### Shawn (last name unknown)

Shawn asked how the Fire Tax will be divided between the fire departments. Chairman Peters stated that will be determined when the funds become available.

## INVOICES AND EXPENDITURES

With unanimous approval of a Peters/Landis motion, the PTS voted to approve payment of checks 29801 through 29848 (excluding check 29841) totaling \$17,981.88 from the PLGIT General Fund account, ACH payments totaling \$35,542.83 from the Orrstown Bank General account, PTPRB checks 01684 through 01686 totaling \$621.58, a transfer from the PTPRB savings account to the PTPRB checking account in the amount of \$621.58, and two transfers from the PLGIT General Fund to the Orrstown Bank General Fund totaling \$16,000.

Check #29841 in the amount of \$538.50 was approved for payment with a Peters/Landis majority vote. Vice-Chairman Maguire abstained from voting on check #29841 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/Landis motion.

## MINUTES

Upon a Peters/Landis motion, the PTS unanimously approved the minutes of the November 9, 2016, budget workshop and the minutes of the November 30, 2016, PTS meeting. With a majority vote of a Peters/Landis motion, the minutes of the December 13, 2016, budget meeting were approved. There was no audible vote from Vice-Chairman Maguire.

**HIGHWAY REPORT** – Report was presented. The Roadmaster added there was a rock slide on Spur Road near State Game lands.

## PENN TOWNSHIP PLANNING COMMISSION (PTPC)

### Stoner Plan Modification (Twin Oaks Drive)

The Secretary stated a modification to the plan was received. The changes were from using gravel to using topsoil and grass. Upon a Peters/Landis motion, the PTS unanimously accepted the modification to the Charles H. Stoner and Marcia A. Andri plan. Chairman Peters authorized Engineer Shradley to confirm the meets and bounds of this property are correct.

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**PENN TOWNSHIP ECONOMIC DEVELOPMENT – No report.**

**ZONING REPORT – Report was presented.**

**Gregory Schenck Conditional Use**

Mr. Schenck provided a conditional use application for a food truck. The Planning Commission will review this on January 16, 2017. The Secretary stated a Hearing date must be set. Chairman Peters asked where the gray water will be disposed. Mr. Schenck stated he will be dumping the gray water at his house. Upon a Peters/Landis motion, the PTS unanimously set a Hearing date for Wednesday, January 25, 2016, at 6:00 PM.

**SEWAGE ENFORCEMENT OFFICER'S (SEO) REPORT – No activity.**

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

**PENN TOWNSHIP MUNICIPAL AUTHORITY (PTMA) – Minutes were received.**

**SECRETARY'S REPORT**

**Fire Tax Resolution 2016-07**

Upon a Peters/Landis motion, the PTS unanimously approved Resolution 2016-07 to levy a Fire Tax of .85 mils for the purpose of making appropriations to local fire companies for apparatus, training and fire protection.

**Tax Levy Resolution 2016-08**

This resolution includes the general fund real estate tax, the street light tax and the fire hydrant tax. Upon a Peters/Landis motion, the PTS unanimously approved Resolution 2016-08 which sets the tax rates for 2017 at .8144 mils (general purposes), \$.36 per front foot (street light service) and \$.13 per front foot (fire hydrant tax).

**ENGINEER REPORT – Report was submitted.**

**MS4 Permits for 2018**

Engineer Shradley stated they are finalizing the update to the outfall mapping and will be filing with DEP shortly.

**POLICE REPORT – Report was presented.** Supervisor Landis stated he is in the process of shutting down the police department. Susan Smith asked the disposition of the police vehicles, computers, etc. Chairman Peters stated the police department was suspended, and the equipment will be needed if the police force is re-established.

Upon a Peters/Landis motion, the PTS unanimously voted to suspend the Penn Township Police Department effective 11:59 PM, December 31, 2016, until such time it can be re-established.

Theresa Crider asked the Board if they had reviewed other options for funding of the police department which would include all residents rather than just the property owners. Supervisor Landis stated he is exploring other options to bring back the police department. He also said the Board is open to suggestions.

Stanley Mutzabaugh asked how long the police department can be suspended before it must be disbanded. Supervisor Landis stated he did not know. The Solicitor will research.

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Steve Crider asked how many homes Yingst Homes is planning to build near his property and how much revenue they would generate. He was informed there are 79 units proposed and the revenue would be based on the value of the homes. Solicitor Allshouse stated generally new homes are not income makers.

A resident asked how long the Police Administrator position will be filled. The Chairman stated the position will no longer be needed as soon as all evidence is transferred to the DA and all open police files/equipment are processed.

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

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

### **CORRESPONDENCE**

#### **National School Choice Week**

The President of the National School Choice Week has asked the township to issue an official proclamation setting January 22 – 28, 2017, as Penn Township School Choice Week. Approval to issue the proclamation was approved with a majority vote of a Peters/Landis motion. Vice-Chairman Maguire voted nay.

#### **Central Penn Energy Consortium**

The Central Pennsylvania Energy Consortium (CPEC) is dissolving as a result of the Executive Director's resignation. CPEC has found the Provident Energy Consulting, LLC (PEC) group which handled business similar to the way CPEC had for many years. The change to PEC was approved by the CPEC Board of Directors

#### **DEP Letter**

The township was copied on a violation letter from DEP to Furnley Frisch.

#### **AECOM Letter**

AECOM was retained by Texas Eastern Transmission, LP to provide design and permitting services. Texas Eastern will be excavating along natural gas pipelines to make any repairs that may be needed. The letter states we have the option to respond if we have any concerns.

#### **Department of Agriculture**

The purpose of this letter is to invite the PTS to the Farm Show for Public Officials Day on January 11, 2017.

### **OLD BUSINESS**

#### **Newsletter**

Secretary Klinepeter stated the deadline to submit articles for the newsletter is January 6, 2017.

Henry Holman III asked for the taxes due in 2017 on a \$100,000 home. The Secretary stated the taxes would be \$166.44 per year.

Jesse Boyer asked what will happen to Ordinance 2000-4, Assessment for the Cost of Fire Protection, after the Fire Tax goes into effect. Solicitor Allshouse stated Ordinance 2000-4 relates to an assessment on all properties within 700 feet of a fire hydrant.

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Stanley Mutzabaugh asked if the fire hydrant tax is deposited into a separate account. The Secretary stated these funds are used to pay the water. These funds are coded to a separate general ledger account.

**NEW BUSINESS**

**Letter of Support for PA Option for Wellness, Inc.**

Upon a Peters/Landis motion, the PTS unanimously voted to provide a letter of support for a medical cannabis grow/processing facility in the Business Campus One Park.

PA Option for Wellness, Inc., has requested to hold a meeting with residents to explain their proposal. This meeting was unanimously approved with a Peters/Maguire motion to be advertised for Monday, January 23, 2017, at 7:00 PM.

**Fire Committee**

Supervisor Landis proposed that an advisory committee be formed to review requests from the fire department(s) for Fire Tax funds. He stated anyone who would like to serve on this committee should contact him. Upon a Peters/Maguire motion, the PTS unanimously gave approval to Supervisor Landis to explore the creation of this committee. The Solicitor stated all committee meetings must be open to the public. He also stated PA law dictates how the Fire Tax funds may be used.

**ADJOURNMENT**

With unanimous approval of a Peters/Landis motion, the PTS voted to adjourn the meeting at 8:25 PM.

Respectfully Submitted,

Elizabeth Goodhart  
Treasurer/Recording Secretary