

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

Brian Peters, Chairman Joseph Landis, Supervisor Pamela A. Huss

Minutes of February 28, 2017

The Penn Township Board of Supervisors (PTS) met in the Municipal Building on Tuesday, February 28, 2017, at 7:00 PM. Chairman Brian Peters and Supervisor Joseph Landis were in attendance. Other personnel present were Helen Klinepeter (Secretary), 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.

Upon a Peters/Landis motion, the PTS unanimously approved the appointment of Pamela Huss to fill the vacant Supervisor position. Pamela Huss was sworn in by Chairman Peters.

Upon a Peters/Landis motion, the PTS unanimously approved the appointment of Jesse Lantz to fill the vacant Emergency Management Coordinator position. Jesse Lantz was sworn in by Chairman Peters.

The Chairman stated there was one Executive Session on February 20, 2017, regarding personnel.

VISITORS

Henry Holman III

Mr. Holman suggested the road survey scheduled for April 8, 2017, include inspection of the pipe along Cove Road near the cemetery. The bridge culvert goes from Rohrer's to the wetlands and will need to be string trimmed to be inspected.

Susan Smith

Mrs. Smith asked the status of township lawsuits. Secretary Klinepeter stated the Kinkora Pythian Home lawsuit is not the township's. Mrs. Smith asked why the Perdix lawsuit is taking a long time. The Chairman explained the communication between the lawyers can take some time. Mrs. Smith asked if the Perdix Fire Company responds to any fire calls. Bob Johnson of the Perdix Fire Company stated they do respond to calls, and that they responded to three fire calls over the past weekend. He stated they can respond to calls anywhere within Pennsylvania except Penn Township.

The Secretary stated the Police lawsuit is being handled by the insurance company. Mrs. Smith asked for the status of remaining items requiring police action. As the Police Administrator, Supervisor Landis gave an update on final tasks/issues he is completing. Mrs. Smith asked what the township plans to do if the State begins to charge for Pennsylvania State Police (PSP) coverage. Chairman Peters stated there is a plan to reactivate a part-time police force in the township which would cost \$60-\$70,000, basically the same cost as PSP coverage. He stated he is looking for grants to help fund the police. The Chairman also stated there is interest in a regional police force.

Mrs. Smith asked for confirmation that the Fire Tax would eliminate the \$65,000 donation to the Duncannon Fire Company (DFC). She was informed that is correct. The Secretary gave updates on the following issues:

Minutes Of February 28, 2017

Page 2 of 6

- 10 & 12 Rupp Road – Will call the District Magistrate office for update.
- 303 New Bloomfield Road – Sent email but no response received. Will send certified letter.
- Ward's fence – Will contact to tie up/fix the fence.

Chairman Peters announced that if someone is recording the meeting, they must make it known and be given approval. Gary Korth and John Holman both stated they would like to record the meeting and were given permission by the Chairman.

John Holman

Mr. Holman provided Chairman Peters with documents, but he did not have copies for the other Supervisors. Mr. Holman read from a document for a full five minutes without any interruptions. After five minutes, Chairman Peters informed Mr. Holman that he had used his five-minute visitor comment time. Supervisor Landis informed Mr. Holman to summarize his comments rather than continue to read from the document. Mr. Holman stated he wants Chairman Peters to resign.

John McTernan

Mr. McTernan continued to provide additional information on John Holman's topic. Supervisor Landis explained the property owner of Kinkora Pythian Home does not want John Holman to enter the business. As a result of an Open Records hearing, Supervisor Landis also stated the Perry County District Attorney (DA) issued a ruling which Penn Township is following. Mr. McTernan stated there was criminal activity between Kinkora Pythian Home and the former Penn Township police department. Supervisor Landis informed Mr. McTernan to file a complaint with the property authority if he feels there was criminal activity.

Gary Korth

Mr. Korth stated he has the same concern as Mr. John Holman and Mr. McTernan and that he believes his religious rights were violated. Mr. Korth informed Chairman Peters that he can be charged under Section 5726, Title 18 of the PA Crimes Code, for violating his oath of office. Mr. Korth stated that is coming, and he will be the one who investigates Chairman Peters.

CeCe Novinger

Ms. Novinger asked for the status of the police vehicles and bicycles and was informed they are in storage. Ms. Novinger asked if the tax collector audit notices are being returned. She was informed they are.

Jesse Boyer

Mr. Boyer asked for the total amount paid to the HR attorney. The Treasurer stated she would provide that information.

Kraig Nace

Mr. Nace provided an update on the new weekend coverage. He also gave an update on the financial situation of the Duncannon EMS. Mr. Nace stated that less than 25% of township residents respond to the annual EMS solicitation.

John Gerner

Mr. Gerner is part of the township's Economic Development Committee and began working with Duncannon Borough recently. The focus has been to advance the area through tourism, i.e., the Appalachian Trail, the river, etc. The group is looking to improve access to the river and provide a kayak/boat launch. Mr. Gerner stated a number of businesses have moved to Perry

Minutes Of February 28, 2017

Page 3 of 6

County due to lower rent amounts. He also urged residents to shop local. Mr. Gerner stated the committee will be advertising their meetings.

Mrs. Smith asked if there will be an event held this year similar to the one held last year. Chairman Peters stated he would like to have a food truck war.

INVOICES AND EXPENDITURES

With unanimous approval of a Peters/Landis motion, the PTS voted to approve payment of checks 29889 through 29897 and 29899 through 29973 totaling \$20,187.82 from the PLGIT General Fund account, ACH payments totaling \$30,772.67 from the Orrstown Bank General Fund account, PTPRB checks 01693 through 01698 totaling \$280.75, a transfer from the PLGIT General Fund to the Orrstown General Fund in the amount of \$10,000.00, a transfer from the Orrstown General Fund to the PTPRB checking account in the amount of \$180.75, and a transfer from the Orrstown Bank General Fund to the Orrstown Fire Tax Checking account in the amount of \$12,889.59.

TREASURER'S REPORT

The Treasurer's Report was unanimously approved, subject to audit, upon the passage of a Peters/Landis motion.

Fire Tax Account

The PTS unanimously approved a Peters/Landis motion to open a new bank account at Orrstown Bank for the Fire Tax funds.

HIGHWAY REPORT

Diesel and Fuel Heating

Secretary Klinepeter reported she has submitted the amounts for the Diesel, Gasoline and Heating Oil to be purchased through the consortium. The Board must ratify this submission. Upon a Peters/Landis motion, the PTS unanimously ratified the submission to the consortium.

Dirt and Gravel Program

The Highway department is submitting grants for the Dirt and Low Maintenance Roads. The Board must ratify this submission. Upon a Peters/Landis motion, the PTS unanimously ratified the submission for the grants.

PENN TOWNSHIP PLANNING COMMISSION (PTPC)

Forrer Dodge Land Development Plan

Joseph Burget of Burget & Associates, Inc., was present to discuss the ACD Realty Land Development Plan, File Number 2016-05. Mr. Burget stated this plan was approved by the PTPC on February 20, 2017, contingent on the completion of the following items:

1. Surveyor's certification shall be signed and sealed.
2. Ownership certification shall be signed and notarized.
3. Improvement Guarantee will be posted prior to final plan approval.
4. A Stormwater easement is required over the existing storm pipe and conveyance swale located along the southern property line. The size of the existing pipe and culvert shall be noted on the plan.
5. The overlapping text in the second line of the report's Pond Data sheet is illegible.
6. The soil infiltration test data was not included in the report. This information needs to be provided to confirm the five-inch/hour rate used in the design.

Minutes Of February 28, 2017

Page 4 of 6

7. The dimensions provided in the underground facility layout detail on sheet four needs to match the sizes stated and measured limits shown on sheet three.
8. The Driveway on the south side of Spur Lane shall be removed.
9. There shall be trees planted between the commercial use and the residential use along Spur Lane.

Mr. Burget informed the PTPC that the existing driveway onto Spur Lane will be closed after construction is completed, and trees will be planted in this area.

The PTPC recommended approval of the AOR's and the plan upon completion of the nine contingencies listed above.

Upon a Peters/Huss motion, the PTS unanimously approved AOR Sections 304 and 306 (Preliminary Plan Procedure), AOR Section 309.A.a (Plan Scale), AOR Section 309.A.7 (Map Scale), and AOR Section 512 (Street Trees).

Upon a Peters/Huss motion, the PTS unanimously approved the ACD Realty Land Development Plan, File Number 2016-05, contingent upon the following conditions from Rettew being met:

1. Surveyor's certification shall be signed and sealed (Section 309.A.22).
2. Ownership certification shall be signed and notarized (Section 309.A.23).
3. Improvement guarantee shall be posted pursuant to Article V.
4. A stormwater easement is required over the existing storm pipe and conveyance swale located along the southern property line (Section 403). The size of the existing pipe and culvert shall be noted on the plan.
5. The ownership and maintenance requirements need to be listed on the plan to be recorded or provided in a separate agreement to be recorded.
6. All fees must be paid.

Mr. Burget accepted all conditions.

PARK AND RECREATION BOARD (PTPRB) REPORT

Grant

The PTPRB has submitted a grant to receive free recycling bins for the park. Upon a Peters/Landis motion, the PTS unanimously ratified the grant submission.

SECRETARY'S REPORT

Vacant Land Sale

Perry County has received a formal offer of \$300 for vacant property in Perdix. The PTS unanimously agreed to the sale with a Peters/Huss motion.

Driveway Permit Revoked

The PTS unanimously agreed to revoke the Spur Lane residential Driveway Permit #2014-04 with a Peters/Landis motion. Use of this driveway by Forrer Dodge during construction will be allowed.

Minutes Of February 28, 2017

Page 5 of 6

ENGINEER REPORT – Report was submitted.

MS4 Permits/Waiver for 2018

The waiver for MS4 Permits was submitted to DEP on December 30, 2016.

Linton Hill Bridge Update

Rettew has reviewed the options for the design of the Linton Hill Road bridge replacement and recommends PennDOT perform the design as offered in their letter. The PTS unanimously agreed to allow PennDOT to design the bridge replacement with a Peters/Landis motion.

EMERGENCY SERVICES

Fire Committee

Supervisor Landis stated the Emergency Management Coordinator, Jesse Lantz, and resident Jesse Boyer will be members of this committee. He stated a member from the local fire company(s) who can make decisions on behalf of the fire company will also be asked to serve on this committee. This committee will be making recommendations to the PTS of invoices to be approved. The committee's first meeting has been scheduled for 7:00 PM, Wednesday, March 15, 2017, in the Penn Township building. Byron Warner, the Duncannon Fire Company (DFC) Fire Chief, will be the DFC representative on the Fire Committee. Upon a Peters/Huss motion, the PTS unanimously appointed Jesse Lantz, Jesse Boyer, and Byron Warner as members of the Fire Committee along with Supervisor Landis to the Penn Township Fire Committee. Supervisor Landis stated an alternate member from the DFC should be appointed in the event the Fire Chief is not available.

CORRESPONDENCE

Electronic Recycling

The Perry County Conservation District would like to host a county-wide electronics recycling day. In order to assist with associated costs, they are requesting each municipality contribute \$100-\$150. Upon a Peters/Huss motion, the PTS unanimously approved a payment of \$125 to the Perry County Conservation District for the purpose of electronics recycling.

OLD BUSINESS

Newsletter

Secretary Klinepeter stated the newsletter will be mailed Friday, March 3, 2017. Secretary Klinepeter requested payment for processing the newsletter and will provide an invoice.

Weather Ready National Ambassador

The National Weather Service has developed an initiative called Weather Ready Nation Ambassador which would partner with government municipalities to become ready for hazardous weather. Upon a Peters/Landis motion, the PTS unanimously agreed to participate in this program.

NEW BUSINESS

Solace – Letter of Support

Chairman Peters stated the township was contacted by a business by the name of Solace. Solace is a company who is applying for a cannabis license. They would like to have a cannabis dispensary. but will not grow cannabis, which will be regulated by the State. The Chairman explained that a physician must give the patient a prescription. A copy must be sent to the Department of Health for approval who will send the patient a card notifying them if they are approved. The patient will then go to the dispensary to receive their cannabis. The dispensary will use facial recognition and retina scanning to allow entrance to the area where

Minutes Of February 28, 2017

Page 6 of 6

the cannabis is dispensed. The cannabis will be dispensed as pills, creams, or oils. The facility will provide 15-25 jobs in the township. The Chairman stated Solace has rented space along SR11/15.

Upon a Peters/Landis motion, the PTS unanimously approved a letter of support be provided to Solace for their cannabis dispensary.

Lee Wright asked if the recent bill allowing wineries to sell whiskey and beer will affect zoning in the township. Secretary Klinepeter stated she would need to see the law to know.

Henry Holman III asked about timbering on State Game Lands and using Spur Road to gain access. Roadmaster Ken Chubb stated since it is licensed equipment and there is no weight limit on the road, the timber trucks may use the road. The Secretary will check with the Solicitor on what can be done if township roads are damaged.

Bob Johnson mentioned the local news coverage of Duncannon Borough becoming part of Penn Township. Chairman Peters stated no determination has been made at this time. He stated Duncannon Borough needs to make this decision.

Chairman Peters stated the County is looking at forming a cooperative with other counties to bring natural gas to the County.

ADJOURNMENT

With unanimous approval of a Peters/Huss motion, the PTS voted to adjourn the meeting at 9:20 PM.

Respectfully Submitted,



Elizabeth Goodhart
Treasurer/Recording Secretary