

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

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

Minutes of March 29, 2017

The Penn Township Board of Supervisors (PTS) met in the Municipal Building on Wednesday, March 29, 2017, at 7:00 PM. Chairman Brian Peters, Supervisor Joseph Landis and Supervisor Pamela Huss were in attendance. Other personnel present were Solicitor Mark Allshouse, Engineer Max Shradley, Roadmaster Kenneth Chubb, Secretary Helen Klinepeter, 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 one Executive Session on March 20, 2017, regarding legal issues.

VISITORS

Henry Holman Jr.

Mr. Holman stated his concerns about the potential annexation of Duncannon Borough. He stated this was reviewed 49 years ago and never occurred. Mr. Holman thanked the PTS for proving him right about a tax increase.

CeCe Novinger

Ms. Novinger inquired about the food truck and asked if the township receives any revenue from that business. She was informed the township receives earned income tax and local services tax from doing business in Penn Township.

Jesse Boyer

Mr. Boyer commented on the sewage smell near the businesses along SR11/15. He indicated new businesses may be hesitant about moving to that location due to the smell.

Jim Chrisman

Mr. Chrisman asked if the township will continue to monitor the cease and desist order on the Morrison property. Mr. Chrisman stated a road sign is missing from SR11/15 near Cove Road. Solicitor Allshouse stated the Zoning Officer Lenny Sizer should check into this since he must go onto private property to access the subject building.

Ron Little

Mr. Little stated both he and his wife drive school bus and park the buses in Penns Cove. He wanted to thank the road crew for the good job they did to open and maintain the roads during the March snowstorm and subsequent drifting. Mr. Little stated an electrical update is required prior to the proposed medical cannabis facility and asked if the township would be required to pay for it. Chairman Peters stated the developer will be responsible for this expense.

Robert Benner

Mr. Benner requested the status of 12 Rupp Road. He mentioned that he found a hypodermic needle marked insulin in that area. The Chairman stated he is not aware of any drug activity in

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that area. Mr. Benner stated children walk in this area. The Chairman suggested the school educate children on not touching hypodermic needles.

Susan Smith

Ms. Smith stated medical marijuana is not approved for use in the U.S. She stated Rep. Mark Keller informed her that banks may not handle money from this activity. Chairman Peters stated medical marijuana is not legal and is different than medical cannabis which is legal.

Stanley Mutzabaugh

Mr. Mutzabaugh asked if the mobile food trucks pay a peddler's permit. He was informed they do not. He then asked if the police audit has been completed and when it will be shared with the public. Chairman Peters stated the police audit has not been completed. The Solicitor stated the audit report will be available to the public, but the investigator's notes will not be available.

Kraig Nace

Mr. Nace provided the PTS with the 2016 end of year call report. He reviewed the call numbers with the PTS. Mr. Nace stated he was notified that Stonebridge is now using another transport company for non-emergencies. He also shared that the adjusted weekend schedule which was implemented recently is no longer being used.

INVOICES AND EXPENDITURES

With unanimous approval of a Landis/Huss motion, the PTS voted to approve payment of checks 29898 and 29974 through 30033 totaling \$46,578.42 from the PLGIT General Fund account, ACH payments totaling \$24,208.58 from the Orrstown Bank General Fund account, Liquid Fuels check 00251 in the amount of \$16,912.36. PTPRB checks 01699 through 01703 totaling \$545.60, a transfer from the Orrstown General Fund to the PLGIT General Fund in the amount of \$15,000.00, a transfer from the Orrstown General Fund to the PTPRB checking account in the amount of \$445.60, a transfer from the PTPRB savings account to the PTPRB checking account in the amount of \$100.00, three transfers from the Orrstown Bank General Fund to the Orrstown Fire Tax Checking account totaling \$58,808.15, a transfer from the Petersburg Commons account to Orrstown Bank General Fund in the amount of \$5.00, and a transfer from the Orrstown Bank General Fund to the Petersburg Commons account in the amount of \$5.00.

TREASURER'S REPORT

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

Treasurer Goodhart mentioned the Municipal Easy Access CD with First National Bank of Mifflintown now earns 1.0% interest.

MINUTES

With a majority vote of a Peters/Landis motion, the PTS approved the following minutes:

1. January 23, 2017, Medical Cannabis meeting
2. January 25, 2017, PTS meeting
3. January 25, 2017, Gregory Schenck Conditional Use Hearing
4. February 15, 2017, Penn Township Municipal Authority meeting with SEDA-COG

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Upon a Peters/Huss motion, the PTS unanimously approved the minutes of the February 28, 2017, PTS meeting.

HIGHWAY REPORT

Highway Reports for February 2017 and March 2017 were provided. A March 14, 2017, Storm Report was also provided.

The Roadmaster asked Henry Holman III to provide additional details on the location of a culvert that was mentioned during the previous meeting.

Roadmaster Chubb stated the road crew did the best they could during the recent snow storm keeping at least one lane open throughout the township to allow access for emergency vehicles.

Stanley Mutzabaugh asked who dug up Noye Road. The Roadmaster stated he did while checking into a PA One call where the wire was deep underground.

Henry Holman III mentioned he heard the road crew had equipment failure and an employee was injured during the snow storm. The Roadmaster described these items and that everything and everyone was fixed. Mr. Holman also suggested we enlist the help of local farmers if vehicles get stuck in the snow.

E-3/CRS-2 Oil Bid

Upon a Peters/Huss motion, the PTS unanimously approved the advertisement of the E-3 oil bids.

Paving Project Bid

Upon a Landis/Huss motion, the PTS unanimously approved the advertisement for paving bids for Watts Drive, Diffenderfer Drive, and Noye Road.

Escalator Clause Resolution

Upon a Peters/Landis motion, the PTS unanimously gave approval to include Resolution No. 2017-03, Price Adjustment of Bituminous Materials for Small Quantities, with the bid packets.

Tar and Chip Project Bid

Upon a Landis/Huss motion, the PTS unanimously approved the advertisement for tar and chip bids for Linton Hill Road, Schoolhouse Road, and Hickory Drive.

Highway Garage Repair Quotes

The Roadmaster stated he contacted five contractors for quotes, but only one contractor responded. Upon a Peters/Huss motion, the PTS unanimously accepted the quotes from Tedd Carr Construction totaling \$5,630.00 and approved the repairs for the township garage.

PENN TOWNSHIP PLANNING COMMISSION (PTPC)

A Stormwater Easement and Maintenance Declaration for ACD Realty, LLC, was presented to the PTS. Upon a Peters/Landis motion, the PTS unanimously accepted this declaration.

ECONOMIC DEVELOPMENT

This committee did not meet due to the snow storm. The next meeting is scheduled for April 2017.

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ZONING REPORT – Reports for two months were presented.

SEO REPORT – Reports for two months were presented.

Port-a-John Agreement

Joyce Hand submitted a Port-A-John agreement for use by the employees of Mojo Taco. Ms. Hand stated the property owner initially agreed to allow her employees to use the bathroom inside his garage but has since changed his mind. After some discussion, Chairman Peters stated this issue is between Ms. Hand and her landlord. Upon a Peters/Landis motion, the Port-A-John agreement was denied. A discussion occurred regarding when a Port-A-John is allowed vs. when a bathroom hooked up to sewer is required. A question was asked whether all Port-A-Johns have an approved agreement and if they are renewed each year.

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

PTPRB Chairman Karen Tilkens stated the chicken BBQ is scheduled for April 8, 2017. She also stated the PTPRB is holding a clothing drive on September 9, 2017, from 8 AM to 2 PM, with all items free to the public. Ms. Tilkens stated the rabies clinic is scheduled for Saturday, April 1, 2017.

Appoint Groundskeeper

Upon a Peters/Huss motion, the PTS unanimously approved the hiring of Rose Wakefield as the Groundskeeper, at a salary of \$11.13/hour. This is a part-time position with a six-month probationary period.

Recycling Grants

Secretary Klinepeter stated the township will not receive the recycling grant. She stated there were 350 applicants, but only 42 were awarded.

PENN TOWNSHIP MUNICIPAL AUTHORITY (PTMA)

The residence at 4 Hilltop Road is not hooked up to the sewer. There is someone currently living at this address. The PTMA has requested the PTS send a connection to the owner of this property. Upon a Peters/Landis motion, the PTS unanimously approved the mailing of the connection notice.

Appointment to Authority

The PTMA has recommended Mr. Russell Wertz be appointed to fill the unexpired term of Sam Auxt to the PTMA. Upon a Peters/Huss motion, the PTS unanimously approved the appointment of Russell Wertz to the PTMA.

Henry Holman III stated the owner of 4 Hilltop Road would not allow the PTMA to install the wet well. Later when residents were required to hook up to the sewer, the owner said he would not hook up since no one was living there at the time. The owner then disconnected the tank from the sewer system and made sure there was no water in it. The tank was not crushed or filled.

Mr. Holman stated the PTMA has been working on reducing the sewer smell along SR11/15.

SECRETARY'S REPORT

Point of Contact – Vice Chairman

Upon a majority vote of a Peters/Huss motion, the PTS approved the appointment of Joseph Landis as the Vice-Chairman of the PTS. Supervisor Landis abstained from voting for himself. Upon a majority vote of a Landis/Huss motion, the PTS approved the appointment of Brian

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Peters as the point of contact for the office and the highway department. Chairman Peters abstained from voting for himself.

Change of Signatories

Secretary Klinepeter stated the bank requires the PTS minutes state that Pamela Huss has been added as a signatory on all bank accounts and that Brian Maguire has been removed as a signatory. These signatory changes were unanimously approved upon a Peters/Landis motion.

4 Wheelers

The township has received a complaint about 4-wheelers riding on a private road. The Solicitor stated the township has no jurisdiction since it is a private road.

Municipal Building Quote

The Secretary stated she received a quote to repair the soffit on the front of the building. She also received a quote to seal the cement steps due to damage from weather. Upon a Peters/Huss motion, the PTS unanimously approved these repairs totaling \$1,650 be made by Tedd Carr Construction.

ENGINEER REPORT – Report was submitted.

Twin Oaks Drive

Engineer Shradley stated he has reviewed the metes and bounds description for the right-of-way for Twin Oaks Drive. He stated since it agrees with the description on the approved and recorded plan, he recommends the description be accepted.

SOLICITOR REPORT – Report for two months were provided to PTS.

EMERGENCY SERVICES

Fire Committee – Report was presented.

Paul Soltis asked to become a volunteer member of the Fire Committee. Supervisor Landis requested the Board to approve this request. Upon a Peters/Huss motion, the PTS unanimously approved the appointment of Paul Soltis to the Fire Committee.

The Fire Committee recommended the PTS pay the 2017 workers compensation invoice from Duncannon Borough in the amount of \$9,089.24. This payment was unanimously approved upon a Peters/Huss motion.

Duncannon Borough has also recently submitted invoices for the township's share of Workers Compensation for the Duncannon Fire Company for 2014, 2015 and 2016. Since these invoices represent a period of time prior to the implementation of a Fire Tax, this issue was tabled upon unanimous approval of a Peters/Landis motion allowing time to review. The Fire Committee did not state whether the PTS should pay the previous years' invoices received from Duncannon Borough.

Enlarging the scope of the Fire Committee was suggested. Upon a Peters/Huss motion, the PTS unanimously agreed to table this suggestion to allow time for the Committee to define the duties of the Committee.

The Fire Committee stated the Fire Study was completed in 2013 and suggested that it may need to be updated.

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The next meeting of the Fire Committee is scheduled for April 12, 2017, at 7:00 PM.

Police Report – Report of monies received was provided.

EMS

Chairman Peters stated \$22,500 was budgeted for 2017 and will be paid in three increments. Upon a Peters/Landis motion, the PTS unanimously approved payment of \$7,500 to the EMS. The remaining payments will be made in June and September 2017.

PERMIT REPORT – Report was provided.

CORRESPONDENCE

Harrisburg Area YMCA

The township received a letter from the YMCA requesting we join their Young Lungs At Play (YLAP) program which would prohibit smoking in the park. Chairman Peters stated he does not want to participate in this program as it would be difficult to police.

Texas Eastern Transmission

Texas Eastern will be repairing lines within the township. The Secretary stated Rettew will contact Texas Eastern about having a road survey before and after the proposed work.

Rapid Needs Assessment

The Office of Emergency Management in Dauphin County is holding training in Rapid Needs Assessment which will assist when an emergency occurs. Upon a Peters/Huss motion, the PTS unanimously approved Jesse Lantz's participation in this training and reimbursement of his mileage.

MRM Trust

The MRM Workers Compensation Trust is holding its annual meeting on April 7, 2017, where they will vote to elect Trustees. The township may attend to vote or submit a proxy. Upon a Peters/Landis motion, the PTS unanimously agreed to submit a proxy.

Signal Service

Signal Service has completed the annual preventive maintenance for the traffic signal. They noted "The 24" white stop bars and pedestrian cross walk pavement markings are worn and need to be repainted.", which is "in violation of PennDot Condition Diagram". Several residents stated the traffic signal is not working properly. The Secretary will contact Signal Service to service the traffic signal.

HRG – Local Bridge Inspection

Perry County has appointed Herbert, Rowland, & Grubic, Inc. (HRG) as the County Bridge Engineer for the Local Bridge Inspection Program. If the township wants the County to pay for the inspection of the bridge on Linton Hill Road, the PTS must sign the Local Municipality Participation form and return it to HRG. Upon a Peters/Huss motion, the PTS unanimously gave approval to sign and return the participation form to HRG.

Duncannon Borough Recycling

The Borough Manager Chris Courogen contacted Secretary Klinepeter regarding the Borough's electronics recycling on April 22, 2017, from 8 AM to 1 PM. Mr. Courogen stated during the last

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electronics recycling event, the electronics dumpster was only half full and invited Penn Township to participate in this event and pay one-half of the electronics recycling fee. Upon a Peters/Huss motion, the PTS unanimously voted to participate in the electronics recycling on April 22, 2017, and pay one-half of the Borough's electronics recycling fee.

DEP e-mail

DEP is hosting roundtable discussions across the state to meet with residents and hear their "perspectives on environmental justice". The discussions will focus on engaging residents and leaders in DEP's decision-making process. The Harrisburg meeting is May 2, 2017.

Keystone Rail Initiative

Keystone West Rail is working towards improving rail transportation between Harrisburg and Pittsburgh and has requested a letter of support from the township. They are also requesting someone from the township to serve on a citizen's advisory committee. Keystone stated this improvement in rail transportation will cost approximately \$10 to \$13 million annually. Upon a Peters/Huss motion, the PTS unanimously agreed to table this issue to allow more time to research further.

PSATS Memo

PSATS provided the proposed resolutions, bylaws change, and nominations report for consideration at the 2017 PSATS convention on April 23-26, 2017. Secretary Klinepeter informed the Board to review and provide her with any information related to voting prior to the conference.

OLD BUSINESS

Cannabis Survey

The Secretary stated she received 29 responses from the cannabis survey regarding PA Options for Wellness opening a facility in the Business Campus. Of the 29 responses, 21 voted 'yes' and '8' voted no.

Wine Law

Secretary Klinepeter stated the new wine law is a state law which states how alcohol is bought and sold within Pennsylvania.

Road Spelling

The Secretary stated according to the PennDOT road map, the correct spelling is Shermanata Drive. Since the road signs are spelled incorrectly, they would need to be replaced, causing notifications to the U.S. Post Office and the 911 service.

Nuisance Complaints

The Secretary provided a list of nuisance complaints and any action taken.

- Upon a Peters/Huss motion, the PTS unanimously agreed to begin legal proceedings against 69 S. Main Street, Duncannon, PA.
- Chairman Peters instructed the Secretary to send a letter to the owner of the Citgo property citing him for construction debris and tires that remain at that location. The letter should include a thank you for resolving the items mentioned in the original citation letter.
- The brother of the owner of 303 New Bloomfield Road contacted Secretary Klinepeter about this property. The Secretary was instructed to send citation letters.

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- The Secretary stated she was recently informed that because she listed both owners on the citation, the District Magistrate could not process the citation. The Secretary was informed she must re-file the citations separately to each owner. She was also informed that Matthew Qualls, one of the owners, did not pick up his certified letter and the Constable is now involved. The District Magistrate will now notify Martha Qualls, the other owner. The Secretary stated the skirting on the mobile home is damaged allowing access, and there is trash located on the property.
- The owner of 6 Hilltop Road built a trench behind the mountain. The Secretary notified County Conservation.
- The owner of 126 Creek Road has animals coming on to his property from the property across the street. The Police and the Zoning Officer previously checked into this situation. The Solicitor stated the Zoning Officer should follow up on this issue.
- DEP contacted the township about 20 TV's that were dumped along Shermans Creek along SR11/15. DEP stated we should dispose of the TV's. The Secretary will contact the County to see if they can assist. The TV's are located on private property.

NEW BUSINESS

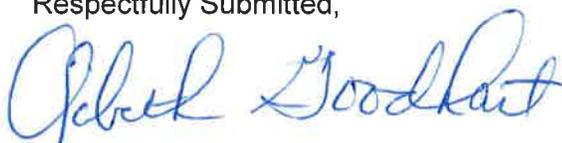
Signs – Kinsey Road and Faculty Road

The Secretary received two requests for signs to be installed. These requests were unanimously approved after a Peters/Huss motion. The signs on Faculty Road will be paid by Mr. Sample who requested the signs.

ADJOURNMENT

With unanimous approval of a Peters/Landis motion, the PTS voted to adjourn the meeting at 10:02 PM.

Respectfully Submitted,



Elizabeth Goodhart
Treasurer/Recording Secretary