

**Penn Township Supervisor
Regular Meeting Minutes
April 6, 2016**

Chairman Pete DeWire called the April 6, 2016 regular meeting to order at 7:00 pm, followed by the Pledge of Allegiance.

Present included: Supervisors: Pete DeWire, Brenda Moyer and Jon Payne, Secretary-Dana VanHorn-Teats, Zoning Officer-Ray Cerezo, and Solicitor-James Bathgate

Public Present: James Grose, PLS, Gene Kreamer, PLS, Susan Sprenkel, Michael Savidge, Gary Griner-DH&L, Joe Dubaskas Sr., Jim Geiswite, Jan Ritter, Scott Kerstetter, Wilmer Kratzer, Laverne Hoover, Levon Hoover, Leigh Kramer, Thomas Snyder, Rae Audine Snyder, Daniel Habegger, Ralph Boyd, Scott Hoover, Valerie Hoover, William J. Moyer, Douglas A. Klingler, Kathy Klingler Radel, Jeff Radel, Richard B. Naugle, Beth Hoover, Leroy Martin, Tom Martin, Robert Walter Sr., Denise E. Walter, Barth Heimbach, Kevin Dressler, Stan Korbar, John Kell, James Clark, Kaylene L. Andrulewicz, Carl Carr, Marilyn Carr, Margaret Krouse, Allan Krouse, Ray W. Krouse, Shane Kerstetter, Kayla Kilgore-SU, Natalie Carleo-SU, Marielle Miller-SU, Beverley Conrad, Greg Burgess, Clair Ritter, Barbara Stanke, Ruth Klingler, Dan Kuruna, Larry D. Klingler Jr., Dennis Seltzer, Rodney Kantz, Ken Teats and Linda Bilger. There were six illegible signatures.

On motion by Jon Payne, second Brenda Moyer and board acclamation the March 16, 2016 Workshop Session Minutes were approved.

Person Present to be Heard

Jim Grose, PLS - Final Land Development Approval Pheasant Ridge Limited Partnership

Required for final LD approval are approval / capacity letters from PTMA, ESCRA and Sel Boro. Letters will be obtained for the April 20, 2016 Workshop session. PLS and owner need not attend meeting for approval.

On motion by Jon Payne, second Pete DeWire, board acclamation plans for Final LD of Pheasant Ridge Limited Partnership was tabled.

Gene Kreamer, PLS - Final Subdivision Plan Approval for Susan Sprenkel

All requirements were met per recommendations from PTPC and SCPC. **On motion by Jon Payne, second Brenda Moyer, and acclamation of board Final Subdivision for Susan Sprenkel was approved.**

Gene Kreamer, PLS - Sewage Facilities Planning Module for Susan Sprenkel Subdivision

Module was reviewed. **On motion by Brenda Moyer, second Jon Payne, and board acclamation SFPM was signed.**

Chad Shaffer, PLS - Sewage Facilities Planning Module for Steve Bogush

Chad Shaffer was not present for the meeting. **On motion by Jon Payne, second Brenda Moyer and board acclamation, the Steve Bogush SFPM was tabled until 4.20.16 meeting.**

Public Comment

Gary Griner -DHL Fire Company- Gary presented the DH and L staff, incident and alarm report for 3.1.2016 thru 3.31.2016.

As discussed in the March 14, 2016 Planning Commission meeting, residents were assured no further movement would be made to proceed with revisions to the nuisance ordinance without public discussions and review. Residents were invited to attend the April 6, 2016 Supervisors meeting to provide input and comments for the Board on the proposed revisions to the nuisance ordinance. Prior to hearing public comment on the topic, Solicitor Bathgate reviewed with the audience the current nuisance ordinance (92-3), the proposed revisions to this ordinance, along with some rationale and history of this process. Residents were asked to keep comments on subject.

Tom Snyder - Nuisance Ordinance

Tom Snyder presented and read aloud a letter that he prepared. This letter along with a petition provided to the Board in objection to any revised ordinance will be kept on file in the office of Penn Township.

Jan Ritter - Nuisance Ordinance

Jan Ritter also read from notes she prepared in opposition of the proposed revisions to the nuisance ordinance.

The following residents voiced their opinion in regards to the Proposed Draft of Nuisance Ordinance 2016-01: Dennis Seltzer, Wilmer Kratzer, Barth Heimbach, Greg Burgess, Audine Snyder, Natalie Carleo-SU, Beverley Conrad, Tom Snyder, Jan Ritter, Carl Carr, John Kell, and Stan Korbar. The residents present were not in agreement with any changes to the existing Nuisance Ordinance. Pete

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DeWire offered the choice of going back to the existing nuisance ordinance or trying to work on the drafted changes. The residents attending the meeting were not in favor of discussing any changes. Jon Payne thanked the residents for attending the meeting. Jon suggested the Township stop the drafted changes to the Nuisance Ordinance. **On Motion by Jon Payne, second by Brenda Moyer, all drafted changes to the Nuisance Ordinance shall be stopped and residents of the township shall be notified if any future work is anticipated on the Nuisance Ordinance.**

The Chairman declared a break at 8:32 PM. The meeting reconvened at 8:40 PM.

Reports:

Isaac Ramer, Road Supervisor – Written report was provided.

Ray Cerezo, Zoning Officer – Zoning Officer Activity Report was provided. Discussion was held with regard to a sign placement request by Kevin Dressler on State Route 35. Cerezo and Dressler explained the process required by PennDOT. A letter will be provided by Penn Township including the township zoning requirements and noting Dressler does meet the requirements and a sign is permissible.

Dana VanHorn-Teats, Secretary/Treasurer – a written report was provided that included

- o Quarterly Deposit Report, Actual vs. Budget for 1st Qtr, Quarterly Transaction Report
- o **A \$10,000 LOC had been opened for the township by a previous employee, personal information of supervisors was used w/o permission, this line of credit was canceled on motion by Jon Payne, second Brenda Moyer and board acclamation.**
- o A letter was sent to PSP on behalf of Penn Twp and residents of Harris Estates with regard to speeding and illegal parking in this development.
- o Penn Twp received previously applied for grant money for the recycling area (\$17,000)
- o **On motion by Jon Payne, second Brenda Moyer, board acclamation a treasurers bond for one million would be secured.**

Fred Ulrich, EMC – no report provided.

New Business

Amendment to Penn Twp. Zoning Ordinance - Increase Zoning Hearing Board from 3 to 5 members.

On motion by Brenda Moyer, second Jon Payne, and board acclamation, the ZHB will be increased to 5 members. This amendment will be provided to SCPC and applicants to fill new spots will be reviewed at the April 20, 2016 work session.

Harris Development - Ordinance 2016-01 was presented to establish a three-way stop at the intersection of Woodlynn Drive and Gregg Drive and a three-way stop at the intersection of Woodlynn Drive and Pheasant Avenue. **On motion by Jon Payne, second Brenda Moyer and board acclamation, Penn Township will advertise Ordinance 2016-1 for possible adoption at the 5.5.16 meeting.**

Section 10903 of the MPC - ZHB - Solicitor James Bathgate stated "No other elected or appointed position in the township can serve on the ZHB." Solicitor Bathgate will follow up with Bob Slivinski on this matter.

Advertise for Bids - **On motion by Brenda Moyer, second by Jon Payne and acclamation, the road paving and seal coating bid proposals will be advertised and bids due, 4 pm on May 4, 2016.** Bids will be opened at the 7pm meeting.

Award Stone Bids - It shall be noted at 2:30 pm on April 2, 2016, the 2016 stone bids were opened and read by Road Supervisor Isaac Ramer with the township secretary recording the results. Township to reserve the right to get supply elsewhere if product is not supplied in a timely manner by any supplier. Low bidders as follows:

- National Limestone bid for 2A stone, 2RC stone, #10 Screenings, Gabion stone, Rip Rap-delivered, R5 rock-delivered
- New Enterprise Stone bid for #8 stone-FOB, #57 stone-FOB, Rip Rap stone-FOB, R5 rock-FOB, and UPM
- Meckley's Limestone bid for #8 stone-delivered, #57 stone-delivered, 6S Anti-Skid, 9.5 MM Blacktop, 19 MM Blacktop, 25 MM Blacktop
- all suppliers subject to all conditions listed being met.

Motion to accept by Brenda Moyer, Jon Payne second, all in favor.

Roller - Advertise for Bid - Roller is not being used by township, advertise "as-is", township has the right to reject any and all bids. Solicitor suggested advertising on "Municibid" as well as the newspaper with reference to "Municibid".

On motion by Jon Payne, second Brenda Moyer and acclamation to advertise the roller.

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Motion to Appoint Auditors - Bill Orren - 6-yr term and Alex Moyer - 2-yr term ending 12/31/17

On motion by Jon Payne, second Brenda Moyer and acclamation to confirm appointment terms of both auditors. The minutes when approved will be forwarded to Pat Nace in the election office.

Resolution - 2016-10 Appointment for Local Tax Collection for Berkheimer

On motion by Jon Payne, second Brenda Moyer and acclamation, board does appoint Dana VanHorn-Teats as Local Tax Collector.

Resolution - 2016-11 dotGrants Online Reporting

On motion by Jon Payne, second Brenda Moyer and acclamation, board does appoint Dana VanHorn-Teats to file on-line for PennDOT.

Resolution - 2016-12 Open Records Officer

On motion by Jon Payne, second Brenda Moyer and acclamation to appoint Dana VanHorn-Teats as Open Records Officer.

Emergency Maintenance - Electrical

Tabled until quote from SRS Electric is refined.

Restrooms at Park - Moyer asked if it could be recorded in the minutes with approval, the park restrooms and garbage cans are checked by someone on the road crew at the least every Monday, Wednesday and Friday. This in effort to keep the township on top of maintenance issues. **On motion by Brenda Moyer, second by Pete DeWire, a quorum established, the schedule shall be adhered to by the road crew. Jon Payne voted no.**

Conditional Use Request - Marshariki Motors, LLC - open a car sales and service business at 2113 Route 522, just west of the Pepper Tree Restaurant. The conditional use hearing would be advertised for May 4, 2016 @ 6:30 PM. Solicitor will provide advertisement.

On motion by Jon Payne, second Brenda Moyer and acclamation to advertise the conditional use hearing.

Accounts Payable and Payroll

On motion by Jon Payne, second by Brenda Moyer and acclamation the board will approve the accounts payable.

FYI - Correspondence and Reminders

The following items were briefly discussed for information purposes

- 3-28-16 Draft of Planning Commission Minutes
- Waiver Approval Savidge - as provided by counsel
- Isaac Ramer & Ray Cerezo met w/LDG & Bob Bickhart - Truck and Trailer site (3.23.16)
- Isaac Ramer and Pete DeWire met w/Cable Construction - Herman Road Project (3-30-16)
- 2016 Proposed Resolutions provided by PSATS
- No funding reimbursement from PEMA
- U-Turn for Christ - COG Inspections
- Township needs to purchase a low-volume pressure sprayer (estimated cost \$200)
- Township shop's grease machine is not working - too old to purchase parts. Will be pricing new one.
- Kevin Dressler - Sign to sell produce-needs letter from township stating we are in agreement. Solicitor will review the letter.

Final Public Comment

Jan Ritter requested that the township resume sending out the paper newsletters. Jan Ritter also requested Penn Twp place public notice advertisement in two separate newspapers.

Per the April 20th work session meeting Mr. Joe Dubaskas asked that 4.6.2016 minutes be reopened and to include:

- Zoning Hearing Board member Joe Dubaskas, asked that the hearings minutes of 4.6.2016 be reopened to add clarification under the public comment sections to include: Mr. Dubaskas' to be included as part of the conversation with Mr. Ken Herman Sr. to consider stepping down from the ZHB was because of concerns over Mr. Herman's mental and physical condition. ~~Mr. Herman did contact the Township stating that he would step down.~~ **On 4.20.2016, on motion by Jon Payne, second by Brenda Moyer and board acclamation the 4.6.2016 hearing minutes will be revised as such.**

On motion by Jon Payne, second by Brenda Moyer and board acclamation the April 6, 2016 Supervisor Meeting was adjourned at 9:45 PM.