

EAST PENNSBORO TOWNSHIP  
BOARD OF COMMISSIONERS  
OCTOBER 4, 2017

Regular Meeting

7:00 p.m.

A Regular Meeting of the East Pennsboro Township Board of Commissioners was held on Wednesday, October 4, 2017, at 7:00 p.m. at the Community and Municipal Center, 98 S. Enola Drive, Enola, Pennsylvania.

Those present were: Commissioners – John Kuntzelman, President; Paul Hartman, Vice President; George Tyson, Kristy Magaro, and Charles Gelb; John Pietropaoli, Township Manager; Lisa M. Coyne, Esquire, Township Solicitor; John B. Owen, Codes Enforcement Officer; Jared Hockenberry, Township Engineer; Dearan Quigley, Acting Director, Housing & Community Development; Chief Bashore and Lieutenant Mark Green, Police Department; and Erik Owen, Fire Marshal.

I. CALL TO ORDER

President Kuntzelman called the meeting to order at 7:00 p.m. A Moment of silent meditation was observed, followed by the Pledge of Allegiance to the Flag.

II. EXECUTIVE SESSION

President Kuntzelman noted for the record the board held an Executive Session for personnel issues before the meeting.

III. APPROVAL OF MINUTES

MOTION approving the following itemized minutes:

1. Regular Meeting - August 2, 2017
2. Regular Meeting - September 1, 2017
3. Regular Meeting - September 20, 2017

was made by Mr. Hartman, seconded by Ms. Magaro, and was carried by a unanimous aye vote.

IV. APPROVAL OF REPORTS

MOTION approving the following itemized reports:

1. Police Report - August 2017
2. Building Permit Report - August 2017 and September 2017

was made by Mr. Hartman, seconded by Mr. Gelb, and was carried by a unanimous aye vote.

## V. BUSINESS FROM THE FLOOR

Magisterial District Justice Richard Dougherty administered the oath of office to new Fire Police Douglas Knepp.

Ms. Linda Guth, 240 North Enola Drive, addressed the board and presented a petition from neighbors seeking to make Kemper Alley a one-way road. She noted when one drives in either from Givler Avenue or Humer Street and tries to exit on Givler Avenue, you cannot see. The alley is between Lafayette Street and Shady Lane, across from the high school. On Shady Lane there are eight townhouses and residents all park in the alley. The neighbors request making the alley one way coming in on Givler because there is a garage on the corner that hampers sight distance. Humer Street is pretty open and even with the apartments now on Lafayette Street you can see clearly both ways. She also requested the speed limit in the alley be made 10 miles per hour because there are many who think it is a racetrack and there are a lot of children in the area.

The neighbors also had concerns about repaving the alley. Nothing has been done to it since they paved it originally back in the 1980s. There are some holes which the street crew filled with macadam recently. She further noted behind the apartments on Lafayette Street is a tree that sits in the alley and some of the residents who live in the townhouses on Shady Lane have backed into the tree. There is also a cable wire hanging down from the utility pole and parents of some of the children who play in the area are concerned that they might strangle each other with it. They would like to have that addressed. Mr. Pietropaoli will have the street crews and Township Engineer look into the matters.

President Kuntzelman noted township fire crews did another outstanding job today with the help of surrounding communities with a structure fire. They had one Sunday night and one today.

## VI. ITEMS FOR DISCUSSION AND APPROVAL

MOTION authorizing payment of invoices and payroll pending review and signatures of Commissioners, was made by Mr. Hartman, seconded by Mr. Tyson, and was carried by a unanimous aye vote.

MOTION to approve the 2018 Minimum Municipal Obligation (MMO) for the nonuniform pension plan in the amount of \$350,368.00, was made by Mr. Hartman, seconded by Mr. Tyson, and was carried by a unanimous aye vote.

MOTION to approve the 2018 Minimum Municipal Obligation (MMO) for the police pension plan in the amount of \$415,619.00, was made by Mr. Hartman, seconded by Ms. Magaro, and was carried by a unanimous aye vote.

MOTION to approve Resolution No. 2017-10 of the Township of East Pennsboro, Cumberland County, Government Obligation Contract between Republic First National Corporation and East Pennsboro Township for the purpose of street sweeper financing, was made by Mr. Tyson, seconded by Mr. Gelb, and was carried by a unanimous aye vote, and was carried by a unanimous aye vote.

The board reviewed the minor subdivision plan for Thomas and Catherine Chervanick. Mr. Richard Ernest noted the plan was made a single lot by a prior subdivision, and now the owner wants to subdivide it back into two lots as it was in 1982. They are asking for modification of requirements to waive the preliminary plan procedure because this qualifies as a minor final plan. When these were built under a different ordinance, the parking requirement was only two parking spaces per dwelling unit. The ordinance has changed and now three spots are required, so there is a bit of nonconformance as far as parking spaces.

Mr. Owen noted the Planning Commission recommended approval of the waiver and the nonconformity will be registered on the plan to protect the property owner. All staff and Planning Commission comments were satisfied.

MOTION to approve the waiver of Section 22-305.1 Preliminary Plan Procedures Preliminary for Minor Subdivision Plan for 609A (Lot 1) and 609B (Lot 1X) for Thomas and Catherine M. Chervanick was made by Mr. Hartman, seconded by Mr. Gelb, and was carried by a unanimous aye vote.

MOTION to approve Minor Subdivision Plan for 609A (Lot 1) and 609B (Lot 1X) for Thomas and Catherine M. Chervanick, property identified as Tax Parcel No. 09-17-1042-015J, was made by Mr. Hartman, seconded by Mr. Gelb, and was carried by a unanimous aye vote.

MOTION to direct the Township Solicitor to prepare and advertise changes made to the Codified Ordinance of East Pennsboro Township, Chapter 20, Solid Waste, pertaining to Community Event Recycling, was made by Ms. Magaro, seconded by Mr. Gelb, and was carried by a unanimous aye vote.

The board reviewed the Preliminary/Final Lot Consolidation and Land Development Plan for Camp Hill Commons. Mr. Chris Dallinger from HRG presented the plan. He noted it is the same plan as the sketch plan of the former

Senate Plaza property along Erford Road, House and Senate Avenues, and Poplar Church Road. The building has been razed and they now have plans to develop the area. The plan is a lot consolidation and land development plan. There are three existing lots, one where the old Senate Plaza was, another was the parking lot to the south of it, and then a lot which is another parking lot on the other side of House Avenue. The consolidation is to consolidate lots 1 and 2 into one common parcel. Senate Avenue will still go through it. The parking lot will remain separate.

The land development is for some common facilities to accommodate five commercial parcels, one which is proposed to be a Sheetz. They are developing two commercial buildings which will contain several commercial uses, a Starbucks, another restaurant, and possibly something similar in the next building. There are two commercial out-parcels on lot 2 now. The other part of the development is the development of the other parking lot with a 5-story, 40-unit apartment building.

Stormwater management is sized for the entire development. They assumed impervious coverages for the out-parcels. When they come back in, as long as they stay below that coverage, stormwater management has been handled for their development. There are stormwater piping conveyance facilities in the road and all they have to do is connect to the piping.

There will be roadway improvements on Poplar Church Road. Right now there are several lanes, one a right turn lane on to Erford. They will be extending the entire length of the property to have a right turn into the new drive, which is South Drive. They propose a private drive through the middle of the development connecting Poplar Church and Senate Avenue, and a driveway that will connect to Erford Road. The driveway to Erford Road will be a right in, right out and left in but restricted left out. They are presently going through the PennDOT process to get that permitted, as well as a traffic study.

Two waivers have been requested for the plan. One is a waiver of the preliminary plan requirements for it to be able to go straight to a final plan, and the second waiver is for sidewalks along House Avenue. Currently, sidewalks exist on the other side of House and all around the lots. They will replace them as necessary along Erford. They propose sidewalk to replace along Poplar Church as well, but they are requesting no sidewalk on House Avenue because the grades are pretty steep and there is no sidewalk there now. They are also requesting a waiver for deferment of sidewalk along Triple Crown Drive, proposing sidewalk on one side of the access drive through the lot connecting the two streets until the

land development plans come in for Sheetz, and they will address it when the other lot is developed, but they would like the flexibility to do it later when they come in for the development plans.

Mr. Owen noted the second waiver is a modification based upon a recommendation by the Planning Commission for the deferment of the additional pad sites. The Planning Commission made a motion that sidewalks along House Avenue drive A and B be revised to state the sidewalks along parcel 1 and 3 be deferred until land development occurs. The Planning Commission recommended the waiver approval along House.

MOTION to approve waiver request for preliminary plan procedure Section 22-306 for Preliminary/Final Land Consolidation and Land Development Plan for Camp Hill Commons, was made by Mr. Tyson, seconded by Mr. Hartman, and was carried by a unanimous aye vote.

MOTION to approve the waiver request for sidewalks along House Avenue, Section 22-506.3.C for Preliminary/ Final Lot Consolidation and Land Development Plan for Camp Hill Commons, installation of sidewalks along House Avenue and deferment of sidewalks at certain locations within the development along Triple Crown Drive and Bar South Drive until future pad site development, was made by Mr. Hartman, seconded by Mr. Gelb, and was carried by a unanimous aye vote.

MOTION to conditionally approve the Preliminary/Final Lot Consolidation and Land Development Plan for Camp Hill Commons, Tax Parcels No. 09-19-1590-129, 09-19-1590-129A and 09-19-1590-031, subject to the following conditions: Addressing all remaining staff technical comments, providing copies of the Highway Occupancy Permits from PennDOT for the driveway connection on Erford Road and all proposed utility connections with PennDOT rights-of-way, payment of recreation fees in the amount of \$26,000.00 and engineering and site inspection fees in the amount of \$2,500.00, recording the stormwater management operations and maintenance agreement, and executing the Developer Agreement, which will establish the required financial security, future dedication of right-of-way along Erford Road and a contribution of \$25,000.00 to the township toward future roadway corridor improvements, was made by Mr. Tyson, seconded by Mr. Gelb, and was carried by a unanimous aye vote.

MOTION to approve the time extension for the Preliminary/Final Lot Consolidation and Land Development Plan for 200 First Street Associates until January 11, 2017, as requested by K&W Engineers in a letter dated September 21,

2017, was made by Mr. Hartman, seconded by Ms. Magaro, and was carried by a unanimous aye vote.

MOTION to approve the appointment of Timothy Diehl of 2870 Sunset Drive, Camp Hill, to the Planning Commission until February 1, 2021, was made by Mr. Hartman, seconded by Mr. Tyson, and was carried by a unanimous aye vote.

MOTION to approve the 2018 financial commitment to Neighborhood Dispute Settlement in the amount of \$500.00, was made by Mr. Gelb, seconded by Ms. Magaro, and was carried by a unanimous aye vote.

MOTION to approve the Community Development Department promotional wage increase option 4, as presented in the Township Manager's October 3 memo, was made by Mr. Hartman, seconded by Ms. Magaro, and was carried by a unanimous aye vote.

MOTION to accept the signed petition from Linda K. Guth, 240 North Enola Drive, recommending traffic changes to Kemper Alley, a township-owned alley, was made by Ms. Magaro, seconded by Mr. Gelb, and was carried by a unanimous aye vote.

Mr. Pietropaoli noted Northeast Fire and Rescue will have their housing ceremony October 15.

Mr. Pietropaoli also noted Marysville Borough is looking at a possible relationship regarding some services. There will be a sewer presentation at a workshop in two weeks showing what they are thinking and what Marysville's needs are. Mr. Pietropaoli will update the board following the workshop.

Mr. Pietropaoli also advised the board that the first successful county reassessment on commercial properties went through and there is a \$14 million reduction in their assessed value. There is another reassessment hearing scheduled for tomorrow that is stage 1 of the process, an owner who has three different buildings. They have two properties in the appeals process and are waiting for the third. There are others also in a holding pattern.

He spoke to the school district Solicitor. There are some thoughts about how to fight these reassessments, whether to go to the courthouse for the early stage and make comment, but otherwise the school district and township's main power is appealing the decision after it is made. The school board will be discussing at their next meeting how to handle their situation in appeal. Some school districts

Board of Commissioners

October 4, 2017

Page 7

are using attorneys who specialize in appraisal of properties. Cumberland Valley, Mechanicsburg, and Big Springs School Districts are currently using the same attorney with success. East Pennsboro is not having much luck in these appeals. Over the past year and a half \$30 million of assessed value has been lost in commercial properties. He will get more information to the Commissioners after the school board meeting, and will discuss with the Solicitor the law firm they are interested in using. Mr. Pietropaoli noted once the properties are 100 percent full, they never go back to get the assessment readjusted.

Mr. Tyson noted there was a positive reassessment done on Senate Plaza which enticed the purchase, demolition, and redevelopment of that site.

Mr. Gene Assante asked if the township was not being notified timely of the decisions. Mr. Pietropaoli stated he was notified yesterday about the outcome of and actually the school district just found out today. Mr. Assante asked if the court had a duty to notify the taxing authorities in a timely fashion. Mr. Pietropaoli stated they receive a monthly report, but with a 30-day factor, it varies depending on when the hearing falls in the month. He spoke to the someone at the county today asking why he was not receiving some of the notifications when it goes to step 1 and they did not have him on the e-mail list. He was getting notification from the school district, they were kind enough to forward them, but the township should see the notifications on day one, which they can pass on to the Solicitor who could be in contact with the school district Solicitor to figure out who was going to fight it at the county. Mr. Pietropaoli noted it is important to the county and the school district because they are seeing larger dollars than the township would, but it is still a huge deal for the township.

President Kuntzelman noted Pumpkin Fest is this weekend.

Ms. Magaro noted October 19 is the Historical Society dinner.

MOTION to adjourn the meeting at 8:10 p.m. was made by Ms. Magaro, seconded by Mr. Hartman, and was carried by a unanimous aye vote.