

EAST PENNSBORO TOWNSHIP  
BOARD OF COMMISSIONERS  
MARCH 7, 2018

Regular Meeting

7:00 p.m.

A Regular Meeting of the East Pennsboro Township Board of Commissioners was held on Wednesday, March 7, 2018, at 7:00 p.m. at the Community and Municipal Center, 98 S. Enola Drive, Enola, Pennsylvania.

Those present were: Commissioners - John Kuntzelman, President; George Tyson, Vice President; Kristy Magaro, Charles Gelb and Raymond "Skip" Magaro; John Pietropaoli, Township Manager; Lisa M. Coyne, Esquire, Township Solicitor; John B. Owen, Codes Enforcement Officer; Jared Hockenberry, Township Engineer; Dearan Quigley, Housing & Community Development; Acting Chief 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. APPROVAL OF MINUTES

MOTION approving the minutes of the following itemized meetings:

1. Regular Meeting - January 17, 2018
2. Regular Meeting - February 7, 2018
3. Regular Meeting - February 21, 2018

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

III. APPROVAL OF REPORTS

MOTION approving the Police Report for January 2018 was made by Ms. Magaro, seconded by Mr. Skip Magaro, and was carried by a unanimous aye vote.

#### IV. PRESENTATION

Mr. Josh Matter, Assistant Fire Chief, addressed the board concerning last year's first fatal house fire in the township in 20 years. Since that event, the Fire Department has been actively looking at ways for the township to be better prepared aside from department training. He has been working closely with the Red Cross Disaster Recovery folks since last fall, who have a home fire preparedness campaign. The Fire Department has done a lot of preparation work to spotlight the campaign for use in the township.

Ms. Stephanie Fost from the Red Cross thanked the board for allowing them to come into the community and do this home preparedness program. They go into communities that are at greatest risk and help by installing smoke alarms, provide educational materials, and counsel homeowners about making escape plans. They work with local groups such as local businesses, fire departments, municipal elected officials. They insure they can execute an event that will make the community safer.

While the planning started in the fall, the public face of it will start April 6. Roughly a week before they will canvass the streets of East Pennsboro, Enola, very targeted streets and those where they see the greatest risk, the age of infrastructure, row houses, things of that nature which have had a consistent showing of fires in the past. They go out about a week before and provide brochures as well as door hangers on the doors of the homes with their contact information, indicating that they are coming, date and time, in both English and Spanish. They have found that it makes people a lot more comfortable knowing who is knocking at their door by saying they are giving free smoke alarms. They also have yard signs at strategic corners indicating they will be in the community on certain days.

On the date of the event, they hope to have 20 to 25 teams. Each team will be composed of a minimum of 3 if not more members, and one of those will either be a Red Cross staff person or a Red Cross volunteer so that they are very comfortable with the dialogue and the homeowners are aware of what they are doing. They wear Red Cross garb and name tags so people feel safer in their homes. They train all of the volunteers that day. If a company sends out 10 volunteers, they train them that day and give them each a role on the team. So when they go out, they are given a map, someone knocks on the door, explains why they are there, that it is free, that they are with the Red Cross, and there are folks who will fill out a service acknowledgement form with the recording of their name and address so Red Cross can say they went to this house and they agree that they were visited. If any follow-up is needed, it can happen through this form.

A critical for the day is 185 houses made safer, which is very different than just counting smoke alarms installed because one house might need five smoke alarms, and they educate whether alarms are needed or not. She noted the gentleman who perished in the fire last year went back into his home. During the visit, they have a dry erase board with a magnet and marker and ask them to draw an escape plan for the room that they are in in their home during the visit and talk them through it and explain how to do it in every room of their home. They also go through a safety checklist, including cooking safety, heating appliance safety, don't smoke in bed, kids playing with matches, and suggestions of how to make it safer. They also encourage them to practice a 2-minute drill, as the chance of survival decreases significantly if you are not out within 2 minutes. They will also assess a safety risk for the families, which in this area will include flood safety.

The day is focused on educating the community and providing smoke detectors with 10-year lithium

Board of Commissioners  
March 7, 2018  
Page 4

batteries that are self-contained and cannot be turned off. Once they start chirping, they can be thrown away.

President Kuntzelman thanked Ms. Fost and the Red Cross for their assistance and for taking the time to provide a safety preparedness program for the township.

Mr. Rob Gill, from Keystone Insurance Group, addressed the board about their auto and umbrella insurance program renewals. He thanked the board for the opportunity to handle insurance for the township. He reviewed the package and recommendations. One of the reasons the board made the switch to EMC and Keystone is for the dividend program. He presented to the board a dividend check of \$10,709 for the year, which was a prorated amount because the program started in March, so about 9 months of dividend at 14 percent this year.

The premium includes roughly \$47 million in building property coverage, all of the equipment of \$1.6 million, with a \$10,000 deductible. General liability is rated on expenditures based off of budget. There was a slight decrease in the budget this year that allowed for the general liability piece to similarly go down a little bit.

Auto liability of \$1 million in coverage. The current schedule is 65 vehicles. He asked the staff to review the vehicles and make sure all the vehicles that are listed are current, the same with the equipment schedule.

Where we were at last year to where we are at this year. Keeping all policies the same as last year at \$131,418, this year will be at \$132,363; a total difference in premium year over year, keeping everything the same, is \$945. EMC has reduced its crime coverage from \$500,000 to \$100,000. He has put in an application to Travelers to get that back up to

\$500,000, and he is awaiting that quote. They have indicated it will be somewhere around \$1,200 to \$1,400, so to keep everything the same it might be \$300 more than before.

**Recommendations.** Municipal liability policy. He and Mr. Pietropaoli have had extensive conversation about this. For police officers who are injured on duty and would be out of work for a while, they have the right to collect 100 percent of their pay. Workers' compensation pays 66.6 percent of that, municipal liability policy is what covers the remaining third. Right now the township could be at risk for that amount. There has not been a claim for in the past, but it could pop up. He included the premium amounts associated with that policy. They provide a \$75,000 omit each year.

Pollution liability is something he recommends to everybody. It is excluded from all things in the general liability. Any pollution will not be covered except for \$25,000 worth of property involved in that. If there is some auto pollution liability, physical gas leaked out of an automobile, the township will have coverage for that, but being near the Susquehanna River, if something on the premises was leaking over 6- or 7-year period, it is not known but they find out, it gets into the Susquehanna River, causes millions of dollars of damage, there is no coverage for that. We have nothing for that, and coverage is not expensive.

Consider lowering the property deductible. There were two claims this year that went over the \$10,000 deductible. With two claims the township paid out \$20,000 for those deductibles. To lower it to \$5,000 is about a \$4,200 difference in premium. If one claim goes above \$10,000 that year, you made out better by having a lower deductible.

MIB appraisal. One of reasons that the property went up a little bit is because they increased the

value of the sewer plant. He asked them to increase everything by 2 percent, the general rule of thumb. The value of the sewer plant was increased by 8 percent. He can have an actual MIB appraisal done to ensure how much those values should be insured for, submit it to the insurance company and they can lower or increase, depending on what the appraiser comes back at for those exact amounts. Typically, lower values are found than what the insurance company is making you carry. The cost for an MIB appraisal is \$7,000, which is good for 10 years because they cover the cost for all the renewals each year to get it updated. He suggested the township consider an MIB appraisal. He noted the township received a good dividend check and they could use it to get properties appraised and valued to know exactly what should be insured.

Ms. Coyne asked about cyber recovery. Mr. Gill noted in the premium is what is called cyber solutions, but it is not really cyber. It is data compromised coverage. The data, personal information, is what that covers. Ms. Coyne asked if it covers employees as well as residents. Mr. Gill noted what it does not cover is for a third party cyber attack on the system and ransom ware.

#### V. BUSINESS FROM THE FLOOR

President Kuntzelman asked the Solicitor to review what transpired in reference to the meeting last Thursday night which the Commissioners did not attend.

Ms. Coyne stated last week the Cumberland County Industrial Development Authority utilized the township meeting room for one of their meetings as a public outreach regarding interested developers for the Summerdale tract. It was a meeting convened by the IDA, not the Board of Commissioners, as a public outreach, a first step in a multi-step process. The understanding of that meeting was to share information from the public to the IDA and the potential

developers based on the presentation of their suggested plans. There is nothing formally before the board.

Ms. Coyne communicated to the Board of Commissioners that it was appropriate for the CCIDA to conduct that meeting and gather information. That information will be parlayed back to township staff and to the board. Mr. Tuckey, the president of the Cumberland County Industrial Development Authority, indicated they are going to gather information and be back in front of this board for a presentation during an advertised meeting so that all five Commissioners and staff will be able to participate along with the residents and taxpayers of the township.

President Kuntzelman stated for the general public, the Board of Commissioners have not seen any plans, they were never submitted to the township, and until plans are submitted, the board will not comment.

Ms. Coyne stated the meeting was part of their outreach. A potential developer is interested in acquiring the property. Because they utilized the township's meeting room, it was not a township meeting of this board to review the proposals, nor has anything formally been submitted to staff, which is the normal process. It was a matter of getting information out to the public to keep the public well-informed so there is less confusion moving forward procedurally. There will be an opportunity to have a formal presentation similar to what occurred last week made in this room to this board during one of the board's regular meetings.

Ms. Coyne noted the board is committed to transparency so everyone is as well-informed as can be. They want to have everyone apprised of the fact that there is something out there, they presented it, it is not a township plan, and staff will dig into it when it is formally presented.

Ms. Jennifer Leonard McAllister, 905 Ohio Avenue, Lemoyne, asked how the information about the Summerdale project will be presented to the board, and what time period. President Kuntzelman stated the information will come from the developer, and when it is received in the township, information will be posted on the township Web site.

Mr. Pietropaoli noted it would be presented at an advertised meeting, which are published on the Web site, and any citizen can call prior to any advertised meeting to ask about the agenda. Mr. Owen noted the usual first step for the plan would be for it to go to the Planning Commission before the Board of Commissioners. Mr. Pietropaoli stated in this instance the potential developer wanted to do a presentation prior to submittal to the Planning and Zoning Commission. Ms. Coyne understood they wanted to make a presentation at a Commissioner's meeting after last week's presentation, compliant with the Sunshine Law. Mr. Owen encouraged everyone to sign in this evening so the staff can forward that to the developer to reach out.

Mr. James Biessel, 407 Mountain Street, asked about the insurance coverage for cyber threat. He inquired when trash and sewer bills are paid online, if it is through a third party or through the township. Mr. Pietropaoli noted it goes through a third party, and they are protected on their side. He stated they always make sure when using a third party for Web site software that they have insurance protection.

Ms. Danielle Jacobs, 305 First Street, owner of Oasis Salon, Summerdale, asked if the township would change the zoning to allow warehouses, specifically 125-bay warehouses separated in two different buildings. President Kuntzelman stated it depends on what type of warehousing it is.

Ms. McAllister noted the proposal was for four stories, and asked if that would be allowed with a



zoning change, especially with issues as far as topography. They need PennDOT access from Rts. 11 and 15. With 125 truck bays, there will be significant tractor trailer traffic. They do not have zoning for it right now, nor PennDOT permission for right-of-ways in and out. Current zoning supports the proposed bank, hotel, restaurant, Sheetz and retail space.

Ms. Coyne noted those are great questions but there is no firm plan before the board, and to ask the board to do a straw vote would not be appropriate. But they will take that as public comment.

Ms. McAllister stated she would be against 125 bays because the traffic is hard to get into her salon as it is. Ms. McAllister further noted her business is in her house and she cannot just pick up and move.

Mr. Jack Fry, Summerdale, asked the board to consider allowing the people in the First Street area to rezone their properties commercial to help them out. If the current plan goes through, he is against a red light being right across the street from his house, if that is where an entrance to the property would be. He suggested stop signs instead of a red light.

Ms. Jane Fahringer, 317 First Street, Summerdale, noted if they are going to put warehouses in, what they said would be 360,000 square feet and 100,000 square feet, and one will have 72 doors. They projected what would be the office will be right in front of her house. She noted when the township originally bought that land it was not supposed to have warehouses on that land. Additionally, the board was supposed to include a few community members. She asked the board to take into consideration the medical field is booming, and whether some medical company would be interested in this land.

She also noted Summerdale is starting to look disheveled, with cars that are not inspected along Fifth and High Streets.

Mr. Michael Reber, 800 Valley Street, Enola, noted he was at a township meeting about 8 months ago regarding a red light that is needed at Valley Road and Enola Drive. He was told a road study was being done. The next day he called PennDOT district manager and he said the only road study being done was on Rts. 11 and 15. He said in the spring they are going to regrade and pave Valley Road. According to HATS, Harrisburg Area Transportation System, it is up to the township commissioners to ask for a study to be done through HATS for those intersections. He noted Mr. Gill and Mr. Hertzler sit on HATS.

Mr. Reber further noted Salt Road is also bad. Coming up from Enola Drive to Valley Road and looking right, two big telephone poles and a control box sit right there. Where you stop you have to crawl up and look, all you see is a telephone pole. His neighbor backed out of her driveway twice and was almost rear-ended by somebody speeding up over the hill.

Mr. Mark Deveney, 912 Valley Street, Enola, addressed the board regarding the proposed warehouse. He stated the traffic on Valley Street now is astronomical. Between Wertzville Road, Salt Road, and Valley Road, it is ridiculous, and the speeding is horrific. He noted it is not safe for the police to pull anybody over. Acting Chief Green stated there is not much shoulder there. Mr. Deveney asked if this warehouse does go in, and there is tractor trailer traffic coming down now from Hampden Township, will there be a provision for us for our safety that it will only be for local deliveries? He understands in an emergency situation, traffic will have to come down I-81 to Valley. Mr. Pietropaoli noted Valley Road is a State road and that would be the preferred way. If there is a detour, it has to go from one State road to another State road.

Mr. Reber noted he would be happy with a roundabout, anything to slow down traffic on that road.

Ms. McAllister asked if Central Penn College was going to develop the field. Mr. Kuntzelman stated they have nothing on the table.

#### VI. ITEMS FOR DISCUSSION AND APPROVAL

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

MOTION to approve the request for a handicapped parking sign to be placed in front of the residence of Mrs. Carol Peters, 1427 Second Street, West Fairview, as recommended by the township Police Department, was made by Mr. Skip Magaro, seconded by Mr. Gelb, and was carried by a unanimous aye vote.

MOTION to approve Resolution 2018-03 of the Township of East Pennsboro, Cumberland County, application for traffic signal approval to the Pennsylvania Department of Transportation for the new traffic signal at the Erford Road/Mumma Road intersection, was made by Ms. Magaro, seconded by Mr. Tyson, and was carried by a unanimous aye vote.

MOTION to approve Resolution 2018-04 of the Township of East Pennsboro, Cumberland County, application for traffic signal approval to the Pennsylvania Department of Transportation for a new traffic signal at the Erford Road/Hunter Lane intersection, was made by Ms. Magaro, seconded by Mr. Tyson, and was carried by a unanimous aye vote.

MOTION to approve payment to Coyne and Coyne, Township Solicitor, for professional services rendered during the period of August 26, 2017, through March 3, 2018, in the amount of \$8,649.38, was made by Mr. Skip

Board of Commissioners

March 7, 2018

Page 12

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

Mr. Tyson complimented the Public Works crew who are doing the expansion project in the building.

Mr. Pietropaoli requested executive session after the meeting for personnel matters as well as potential litigation, with no action to be taken.

MOTION to adjourn the meeting at 8:00 p.m., was made by Ms. Magaro, seconded by Mr. Tyson, and was carried by a unanimous aye vote.

(Whereupon, Executive Session for personnel matters and potential litigation was held immediately after adjournment.)