

EAST PENNSBORO TOWNSHIP  
BOARD OF COMMISSIONERS  
MAY 16, 2018

Regular Meeting

7:30 p.m.

A Regular Meeting of the East Pennsboro Township Board of Commissioners was held on Wednesday, May 16, 2018, at 7:30 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, Assistant Township Manager; Jared Hockenberry, Township Engineer; Dearan Quigley, Housing & Community Development; Chief Mark Green, Police Department; and Erik Owen, Fire Marshal.

I. CALL TO ORDER

President Kuntzelman called the meeting to order at 7:30 p.m. A moment of silent meditation was observed, followed by the Pledge of Allegiance to the Flag.

President Kuntzelman thanked all the volunteers who helped clean up from the storms yesterday.

II. APPROVAL OF REPORTS

MOTION approving the Building Permit Report, was made by Mr. Tyson, seconded by Ms. Magaro, and was carried by a unanimous aye vote.

III. BUSINESS FROM THE FLOOR

Mrs. Jayne Farringer asked the board to carefully consider the development proposed for the Summerdale project. She noted at the last public meeting one resident asked who was against the plan, and everybody raised their hand. Summerdale residents do not want those warehouses to go in.

IV. ITEMS FOR DISCUSSION AND APPROVAL

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

MOTION to approval the following bonfire permit requests, as recommended by the Township Fire Chief:

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a. River of God Church, Wertzville Road, Enola, end of school year celebration, June 12, 2018, 7:00 p.m. to 8:30 p.m., and

b. Central Penn College, College Hill Road, Enola, new student relations, June 25, 2018, 5:00 p.m. to 8:00 p.m.

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

Mr. Pietropaoli noted Capital Region COG always leads franchise negotiations for Comcast, getting the best price. Currently, there are 43 or 44 members of COG. They make sure the municipality is getting everything it should be getting on the franchise tax for the cable that is provided in the township. Ms. Magaro asked that something be written regarding above-ground lines. She noted wires hanging down puts the public in a dangerous position and they should start reacting and be responsible for what they do.

MOTION to engage the services of the Cohen Law Group to assist in the franchise fee audit and franchise renewal negotiations with Comcast of Southeast Pennsylvania, was made by Mr. Skip Magaro, seconded by Ms. Magaro, and was carried by a unanimous aye vote.

The board addressed the waiver request for Dunkin Donuts along Routes 11 & 15, which currently has been operating in that location for 20 years. Matthew Mack, from Ludgate Engineers, explained the owner actually leases that property and recently bought the M&T Bank building next door. He would like to move the Dunkin Donuts from its current location literally right next door.

A sizable amount of Dunkin Donuts business is the drive-through, and they have issues with stacking at that location. The new plan presented addresses the stacking and meets and exceeds the ordinance.

They met with township staff. The new Dunkin Donuts will have the same number of seats as the existing one, and less impervious surface. They meet the need for parking, but will have to go for zoning relief for several items. The owner has been leasing the current building for 20 years and has maintained the current property very well for 20 years.

Mr. Owen noted from a safety standpoint, there will be no direct access to Rts. 11 & 15. It will be through the actual parking lot of the plaza, and the southern side is already signalized.

Mr. Quigley stated at this point there do not appear to be any difficulties. Overall, it appears to be lessening existing conditions and is actually an improvement. Any waiver approval by the board should be contingent upon Zoning Hearing Board approval.

MOTION to approve the waiver request from Dunkin Donuts, 423 North Enola Road, relief from requirement of land development plan, subject to approval of the Zoning Hearing Board, was made by Mr. Skip Magaro, seconded by Mr. Tyson, and was carried by a unanimous aye vote.

MOTION to approve Resolution no. 2018-11 of the Township of East Pennsboro, Cumberland County, updating the East Pennsboro Township Police Department Civil Service Commission rules and regulations, as approved by the commission and recommended by the township labor attorney, was made by Mr. Tyson, seconded by Ms. Magaro, and was carried by a unanimous aye vote.

MOTION to approve the traffic engineering services proposal from Grove Miller Engineering, Inc., to perform studies and evaluations on the intersections of Valley Road/Enola Drive and Valley Road/Salt Road in the amount not to exceed \$5,800.00, was made by Mr. Skip Magaro, seconded by Mr. Tyson, and was carried by a unanimous aye vote.

Mr. Hockenberry stated Mr. States will be updating numbers for traffic counts and field views from 15 years ago.

Ms. Coyne reviewed for the record the settlement proposal that has been entertained and recommended by the school district and the county with regard to a tax assessment appeal for 150 Corporate Drive. President Kuntzelman noted the township keeps losing money every time these come up, but the school district is losing more money and he cannot understand why they are so relatively easy to persuade into these reduction agreements.

MOTION to authorize settlement of tax assessment appeal for 150 Corporate Drive, parcel number 09-18-1304-132B as recommended by the county and school district for an assessed value of \$3,438,750.00 for tax years 2015 through 2018 and direct the Solicitor to execute appropriate stipulation per the settlement amount, was reluctantly made by Mr. Tyson, and reluctantly seconded by Mr. Skip Magaro, and was carried by a unanimous aye vote.

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#### V. NEW BUSINESS

Mr. Pietropaoli noted he forwarded an e-mail to Commissioners from CCIDA regarding the financing of the project, and also a group of e-mails from Barbara Gertzson regarding the house and the historical registry the county has at the Summerdale property.

Mr. Skip Magaro suggested the township has to make sure the township building does not flood again.

Ms. Magaro informed the board of her discussion with Mr. Quigley regarding Silver Spring Township's historic sites ordinance for historic buildings in their township that cannot just be torn down. She suggested the township consider a similar ordinance. Mr. Pietropaoli noted even with a local historic registry, it will not apply to the current case, but for future properties that may have some historic value it is not a bad idea.

MOTION to investigate the possibility of an ordinance for historic sites in the township was made by Ms. Magaro, seconded by Mr. Gelb, and was carried by a unanimous aye vote.

Ms. Magaro noted June 18 the Historical Society is the having a Ride of the Pride event, tickets are \$25 from the Historical Society.

MOTION to adjourn the meeting at 7:55 p.m., was made by Mr. Tyson, seconded by Mr. Gelb, and was carried by a unanimous aye vote.