

EAST PENNSBORO TOWNSHIP
BOARD OF COMMISSIONERS
JUNE 6, 2018

Regular Meeting

7:30 p.m.

A Regular Meeting of the East Pennsboro Township Board of Commissioners was held on Wednesday, June 6, 2018, at 7:30 p.m. at Creekside Fire Hall, Enola, Pennsylvania.

Those present were: Commissioners – 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

Vice President Tyson called the meeting to order at 7:30 p.m. A moment of silent meditation was observed in memory of Ron Laubenstine from Creekside Fire Company, followed by the Pledge of Allegiance to the Flag.

Mr. Tyson noted President Kuntzelman was unable to attend the meeting due to illness.

II. APPROVAL OF MINUTES

MOTION approving the minutes of the following itemized meetings:

1. Regular Meeting - May 2, 2018
2. Regular Meeting - May 16, 2018

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

III. APPROVAL OF REPORTS

MOTION approving the following itemized reports:

1. Building Permit Report - May 2018
2. Police Report - April 2018

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

IV. BUSINESS FROM THE FLOOR

Mr. David Bennett, 859 Acri Road, commended township staff who realized an error by the U.S. Post Office in a recent change of address for him while he was traveling and contacted Mr. Bennett during his travels to correct the situation. He noted Brandi in the Sewer Office went out of her way, which he found commendable and wished to express his appreciation to the board. Vice President Tyson stated the board will make sure she knows.

Mr. Bennett inquired as to how long a contractor can keep a trailer on a street in East Pennsboro Township. Acting Chief Green stated typically trailers are not allowed to be parked on the street, although sometimes a little leeway is given depending on construction. Mr. Bennett noted he has an RV and gets a permit for 48 hours to unload it. He suggested the township look at changing the 48 hours, which is often a very tight timetable, and maybe not having a specified time but when a person comes in to the Police Department to request the permit, have them tell indicate what time they need and maybe have a maximum time. Seven days is too long, but four days might be a little more reasonable. He asked at the very least if the ordinance could be changed from 48 hours to 96 hours.

Mr. Bennett also offered a suggestion for township revenue. The township owns a lot of vacant properties, one being the area where the ambulance is. He noted it is hard to find places to park an RV for an extended period of time. The going rate can be anywhere from \$50 to \$100 a month. With the vacant land, a fence would have to be installed, but permits could be purchased for storage on those properties. He noted the Humer Street area already has a camera and no one is paying for that camera other than the taxpayers, and if the lot were to be made an RV parking spot for East Pennsboro residents, it would be beneficial to the residents and would give the township a reliable income stream. He suggested the Solicitor could look into the legalities and any liabilities on behalf of the township.

Mr. Bennett also reported that the storm drain at Raintree Road is falling apart. The concrete is breaking up.

Mr. Gene Assante, 817 Acri Road, noted for the record that today is the 74th anniversary of the D-Day invasion of Europe, and asked that the meeting take a moment to honor the service and sacrifice of the men and women who served us so well during that terrible time in our history. A brief moment of silence was observed.

Ms. Barb Gertzen, 835 Magaro Road, asked the board if Trammell Crow has provided any information on the discussion of the Summerdale project, which has been tabled for another month. Mr. Owen noted nothing specific. Ms. Gertzen expressed frustration that residents go to these meetings because there seems to be an incredible sense of urgency, there is a final extension of the grant in September, and from the residents' position, they feel as if the township is being played like a fiddle. Mr. Skip Magaro noted to some members of the board it feels like a rerun. Ms. Gertzen further noted that she has been sending the board members a lot of emails about the Summerdale preservation projects, but no one has answered them.

She has inquired as to whether any Commonwealth money was used for the project. Mr. Pietropaoli noted the applicant just has an agreement between parties right now. Ms. Gertzen stated the two grants that have been granted are from PennDOT, representing Commonwealth funds. Mr. Pietropaoli noted those grants are with CCIDA, not Trammell Crow, which Ms. Gertzen stressed that the grants being applied to the project are still Commonwealth funds. She recently emailed the board Title 37 from Pennsylvania Statutes, Chapter 5, Section 510, Approval of Construction Affecting Historic Resources, which states the Commission, which is the Pennsylvania Historic and Museum Commission, shall be consulted on the design or other undertaking financed in whole or in part by Commonwealth funds which may affect the preservation and development of a site or building listed on or eligible for the Pennsylvania Register of Historic Places. She further noted Cumberland County has approved the Miller/Longsdorf house for inclusion on the County Register of Historic Places, which would certainly make it eligible for the Pennsylvania Register of Historic Places, so the fact that Commonwealth funds are being allocated and potentially used for this project implies that right now 200 First Street Associates, Trammell Crow, and CCIDA are working outside of the law of the Commonwealth.

Ms. Magaro noted the house itself is owned by an entity and is not actually involved in the CCIDA grant. She is not certain that the 2 acres counts with the grants. Vice President Tyson stated there are two grants, one is for internal road improvements, in other words within the site, either \$1.9 million or \$1.1 million, and then the other one is for external, which would be like a traffic light at First Street. The property involves two separate plots of land, with a private owner involved with the house.

Mr. Pietropaoli noted the township has nothing other than a text amendment to the Zoning Ordinance at this point. When the grants were applied for by the CCIDA 10 years ago when Delta Development applied for the grants, the house had no historic value at that point. Now that it is on the registry, they may have to

look at something when they come to land development, but until that day comes when they submit a land development plan, the township does not have anything to look at.

Mr. Owen believes a review was done by the Pennsylvania Historical Society in the 1990s because they had to do it on the old laboratory building and the Longsdorf house at that time, and he has records somewhere that he would be happy to share Ms. Gertzen. He noted because there were modifications from the original Longsdorf house from the previous owner, it would never qualify for the National Register, but the county sees it as a significant historic landmark.

Mr. Owen noted there may need to be a discussion between the township and the county as far as future financing of this property, if it is not developed, regarding whether the county will be loaning the township money to purchase the property. Because of the loan on the property, his understanding is the township will have to insure the next iteration of the loan. He suggested Ms. Gertzen could help the township with that aspect through the historical society and the county commissioners, especially since they have a sizeable surplus this year. He believes the going rate right now for that property is about \$4 million. Ms. Gertzen stated she would be pleased to assist.

Vice President Tyson stated he understands the residents' frustrations and feels the same. He has lived in the township since 1984 and has been friends with the previous owner of the house, the Steeles. Back when Mr. Steele was trying to sell the property before it went to eminent domain, there was little effort to preserve the house. He agreed the current process the board must go through right now with Trammell Crow has frustrated Commissioners because they have no idea what is being planned and Trammell is not required to divulge, and the board is required to wait until the process moves forward so the proper mechanism can happen whereby they will have all of the facts and can make a decision on what is the best benefit for the township.

Mr. Tyson noted he lives on Belle Vista Drive and can see the property almost on a regular basis. The board wants to do what is right for the township. Unfortunately, until some of those things start to occur, there is very little that the board is able to do. Mr. Pietropaoli noted it is frustrating for the board because for 10 years they have seen a dozen site plans, so many versions, which never happened. Ms. Gertzen stated one of the major points of the Cumberland County Historical Society when she met with Mr. Leonard about including the house on the County Registry, they were excited about a potential use for that house as a historical site. Mr. Pietropaoli noted if the house sat on the property that CCIDA

owned and was not privately owned, that would be a very good discussion, but with the third party owner, it makes it much more difficult.

Mr. Skip Magaro told Ms. Gertzen anytime she has sent something to board members, he has read it. Ms. Gertzen stated it would be helpful to know emails are being received.

Mr. Sam Pool, 200 Front Street, West Fairview, thanked the Public Works Department for relocating a sign that was recently installed which blocked his view of downtown. Vice President Tyson thanked Mr. Pool for his comments.

Ms. Kim Peters, 100 Ashford Drive, at the corner of Beaver Avenue and Ashford Drive, addressed the board concerning neighboring property where the house was deemed uninhabitable that the township had torn down, the owner has the property up for sale but is not keeping the grass mowed. She alerted the Codes Department and they have spoken with the owner and the real estate agent. It has been mowed one time this season so far. Mr. Pietropaoli will make sure somebody looks at the property tomorrow. Mr. Pool noted 91 Beaver Avenue is an abandoned property and he has not seen the owner in years. The grass is very high on that property as well. Mr. Pietropaoli will have that property checked on tomorrow.

Mr. Pool also asked if there is an ordinance in the township regarding tractor trailers idling on the streets of the township. Acting Chief Green stated State law allows 5 minutes. He noted a gentleman who drives truck visits his daughter on Ashford Drive and he leaves his truck idling along Beaver Avenue right beside his home for anywhere from an hour and a half to three hours. Acting Chief Green stated he must call the Police Department when it is there and they will respond.

Mr. Don Dolbin, 49 Weatherburn Road, noted the township Web page is not being updated with the most recent minutes for meetings. The last ones were January 3. He cannot make all the meetings but would likes to keep up with what is happening in the township and would appreciate if the Web site were kept up to date. Mr. Pietropaoli will check into it. The minutes have been forwarded over, but something is obviously not happening.

Mr. Dolbin further noted regarding the historical significance of the Miller house, Enola Miller's father is, as far as he knows, the only Civil War veteran from East Pennsboro. He was with the 93rd.

V. ITEMS FOR DISCUSSION AND APPROVAL

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

MOTION to authorize advertisement and bidding of the 2018 Roadway Improvements Project, was made by Mr. Skip Magaro, seconded by Ms. Magaro, and was carried by a unanimous aye vote.

MOTION to authorize advertisement and bidding of the North Pumping Station electrical and HVAC upgrade project, was made by Ms. Magaro, seconded by Mr. Gelb, and was carried by a unanimous aye vote.

Mr. Tyson noted that President Kuntzelman is the president of the Pennsylvania State Association of Township Commissioners and their annual convention is taking place in the Poconos on June 20. The board wanted to adopt a resolution for him to be read at the convention.

MOTION to approve Resolution no. 2018-14 of the Township of East Pennsboro, Cumberland County, recognizing the community service of John W. Kuntzelman, was made by Mr. Skip Magaro, seconded by Ms. Magaro, and was carried by a unanimous aye vote.

MOTION to approve the request from the East Pennsboro Emergency Carnival Committee for a fireworks display on June 22, 2018, at 9:45 p.m., with a rain date of June 23, 2018, at 9:45 p.m. and waive all associated fees pending acceptance of required documentation, was made by Mr. Gelb, seconded by Ms. Magaro, and was carried by a unanimous aye vote.

MOTION to approve Resolution no. 2018-15 of the Township of East Pennsboro, Cumberland County, accepting the synopsis of the TEFRA Hearing held on May 30, 2018, regarding the proposed 2018 WSAA project for The Alliance Home of Carlisle, PA d/b/a Chapel Pointe of Carlisle, which includes financing of all or a part of the following: (1) the costs and expenses of constructing, furnishing and equipping of a 12-unit townhome complex and a community center to be known as Pointe Place, located at 1026 Ritner Highway, in the Borough of Carlisle; and (2) the related costs and expenses of the financing for an amount not to exceed \$5,000,000.00, was made by Ms. Magaro, seconded by Mr. Skip Magaro, and was carried by a unanimous aye vote.

MOTION to authorize Issuance of the Certificate of Approval of the use of tax-exempt financing in an amount not to exceed \$5,000,000.00 regarding the 2018 WSAA project for the Alliance Home of Carlisle, PA, d/b/a Chapel Pointe of Carlisle, was made by Ms. Magaro, seconded by Mr. Gelb, and was carried by a unanimous aye vote.

MOTION to adopt certificates of recognition for Larry and Linda Treese for their lifetime involvement in township emergency services, and wishing them well in their retirement, was made by Ms. Magaro, seconded by Mr. Gelb, and was carried by a unanimous aye vote.

MOTION accepting the deed of dedication of the Snyder property, authorizing its recording and to issue the receipt for the donated amount which was the assessed value of \$33,400.00, was made by Mr. Skip Magaro, seconded by Ms. Magaro, and was carried by a unanimous aye vote.

Ms. Coyne noted a signature is needed on the deed accepting it for recording and converting this to public property.

VI. NEW BUSINESS

Ms. Magaro noted Monday, June 18, the historical society is hosting a ride on the Pride of the Susquehanna. Tickets are available at the historical society.

Mr. Gelb thanked Mr. Dolbin and Ms. Gertzen for their comments regarding the Enola Miller house. He feels the same way and would like to keep it in the township. He noted he would like to work with the county and township administration to do whatever can be done to keep the house there for a welcome center or specifically the historical society.

Mr. Skip Magaro asked the Solicitor to look into a dog ordinance on fines, specifically that they be increased, because there are too many animals getting loose attacking people and other animals. Mr. Dave Bennett noted that the State went out looking for unlicensed dogs and they allowed owners 24 hours to get a license before issuing a fine of \$300 for having an unlicensed dog. He asked why the animal warden is not actively going after owners who have dogs that are not licensed. He suggested a database can show who had a dog license two years ago and not now, and each owner could incur a \$300 fine.

Ms. Coyne asked for an Executive Session following adjournment for personnel with no action.

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MOTION to adjourn the meeting at 8:20 p.m., was made by Mr. Skip Magaro, seconded by Mr. Gelb, and was carried by a unanimous aye vote.

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