

EAST PENNSBORO TOWNSHIP  
BOARD OF COMMISSIONERS  
SEPTEMBER 5, 2018

Regular Meeting

7:00 P.M.

A Regular Meeting of the East Pennsboro Township Board of Commissioners was held on Wednesday, September 5, 2018, at 7:00 p.m. at the Community and Municipal Center, 98 N. Enola Road, 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, Director of Housing and 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.

II. APPROVAL OF MINUTES

MOTION approving the minutes of the Regular Meeting of August 1, 2018, was made by Mr. Tyson, seconded by Ms. Magaro, and was carried by a unanimous aye vote.

III. APPROVAL OF REPORTS

MOTION to approve the Police Report for July 2018 was made by Ms. Magaro, seconded by Mr. Gelb, and was carried by a unanimous aye vote.

IV. PRESENTATION

Representative Rothman presented awards to the East Pennsboro Little League 11-U team for winning the 2018 Little League East Regional Invitational 9 to 11 year old Tournament Championship. The board also presented the team with a copy of Resolution no. 2018-18 of the Township of East Pennsboro commemorating them on their East Regional Invitational Tournament Championship, and a plaque of the team. Mr. Gelb congratulated the team for winning districts, sectionals, states, and the East Regional championships.

V. BUSINESS FROM FLOOR

Mr. Dale Roush, of 708 Shafer Street, asked what is going in the old Shurefine store. Mr. John Owen stated that PennDOT has signed a lease for 23,500 square feet of a portion of the building for a driver's license and ID center. That is only a portion of the former store. They will start construction sometime this fall.

Mr. George Gebhart, 1316 Fourth Street, West Fairview, stated that Fourth Street by the railroad is starting to get washed out again, and there are spots where the whole bank is washing out. He further noted that pulling out from Cargill Street to State Street is very dangerous. There is a parking space right below the crosswalk and you cannot see anyone coming off the highway if someone is parked in that spot.

Mr. David Bennett, 859 Acri Road, addressed the board noting last year he sent a letter to each of the Commissioners regarding a cat ordinance. He took issue with President Kuntzelman's characterization of the ordinance at last year's meeting.

Mr. Jane Faringer, 317 First Street, Summerdale, asked if a pedestrian walkway can be made for Central Penn students because they are walking all over Valley Road, which is being paved and students are walking all over Valley Road to get to the parking lot.

Mr. Jim Leonard, 65 Pine Ridge Circle, agreed that Cargill Street is a dangerous situation, as he has gotten hit several times, and he noted there are many children in that area. He noted if people are parking in the two parking spots beyond the crosswalk, no one can see who is coming off the highway.

Mr. George DeMartyn, 25 Hillcrest Road, thanked the township for their support of the Historical Society for the past 20 years. Since May they have been working very hard to save the former Enola Miller house in Summerdale. They are still working hard to save the most historic site in the township. They do not have a problem with developing the property according to current zoning for the Summerdale property, but they want to save the house in its current location, and they would prefer not moving the house. He was asking for the Commissioners' help with their goal to preserve the house in its current location. He asked the board to review the record from August 2010 to September 2011 to see what he believes is the current agreement, that the township owns the property.

Mr. Stuart Wilson, Scoutmaster of Cub Scout Troop 285, United Church of Christ, Camp Hill, introduced his Scouts in attendance as part of their merit badge requirements.

VI. 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. Tyson, and was carried by a unanimous aye vote.

MOTION to approve Resolution no. 2018-18 , Township of East Pennsboro, Cumberland County, recognizing the East Pennsboro 11-U Little League team for a decorated 2018 season and the 2018 Little League East Regional Invitational 9 to 11 year old Tournament Championship, was made by Mr. Gelb, seconded by Mr. Skip Magaro, and was carried by a unanimous aye vote.

MOTION to approve the changes and additions to the East Pennsboro Township Animal Control Ordinance relative to residential chickens as advertised and recommended by the township Police Chief and animal control officer, was made by Mr. Gelb, seconded by Ms. Magaro, and was carried by a unanimous aye vote.

MOTION to approve Resolution no. 2018-19 of the Township of East Pennsboro, Cumberland County, application for Traffic Signal Approval to the Pennsylvania Department of Transportation for modifying the school zone warning system along Valley Road at Panther Parkway, was made by Mr. Skip Magaro, seconded by Mr. Tyson, and was carried by a unanimous aye vote.

MOTION to authorize advertisement and bidding of the Pole Building at WWTP project, was made by Ms. Magaro, seconded by Mr. Tyson, and was carried by a unanimous aye vote.

MOTION to table item no. 6 on the agenda, was made by Mr. Tyson, seconded by Ms. Magaro, and was carried by a unanimous aye vote.

MOTION to approve the following waiver requests of requirements: §22-306 requirement for preliminary plan; §22-309.B.3, C.2 requirement to depict contours soils and steep slopes; and §22-309.C.7 requirement to install Public sidewalks pertaining to the Minor Subdivision for 18 & 23 Acri Meadow Road, was made by Ms. Magaro, seconded by Mr. Tyson, and was carried by a unanimous aye vote.

MOTION to approve the Minor Subdivision Plan for 18 & 23 Acri Meadow Road, Tax Parcel Numbers: 09-16-1054-00IA (18 Acri Meadow); 09-16-1054-003 (23 Acri Meadow) with

the condition of addressing all remaining staff comments, was made by Ms. Magaro, seconded by Mr. Tyson, and was carried by a unanimous aye vote.

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MOTION to approve the following waiver requests of requirements: §22-306 requirement for preliminary plan; and §22-506.3B requirement to widen street pertaining to the Minor Subdivision for 91 Pepper Avenue, was made by Mr. Tyson, seconded by Ms. Magaro, and was carried by a unanimous aye vote.

MOTION to approve the Minor Subdivision Plan for 91 Pepper Avenue, Tax Parcel Number: 09-14-0834-014, with the following conditions: Receipt of a "will serve" letter from the Water Company, and addressing all staff comments, was made by Mr. Tyson, seconded by Ms. Magaro, and was carried by a unanimous aye vote.

MOTION to approve the bonfire request and waive permit fee for Harrisburg Academy annual school opening event, which will be held on September 14, 2018, from 7 PM to 10 PM, was made by Mr. Gelb, seconded by Ms. Magaro, and was carried by a unanimous aye vote.

The board discussed the Tax Assessment Appeal by the West Shore Country Club. Ms. Coyne noted the county and the school district have approved the appeal and are asking for ratification from the township. There will be a slight refunding back to the taxpayer of \$14,800.00 for those years. Mr. Skip Magaro had objections to the settlement agreements that the county and school district have been agreeing to. Mr. Tyson agreed with Mr. Magaro regarding tax appeals that the school district and county have agreed upon before they have contacted the township, and because they have agreed to these assessments, the township is put in a difficult spot and would be subject to litigation if it did not ratify the agreements. Mr. Magaro noted the country club has undergone many renovations over those years and questions why they would be getting a lower reassessment. Mr. Pietropaoli thought the township had a very good case and did not see how a country club was awarded a hardship, especially with all their recent renovations. He suggested the board direct the Solicitor to draft a letter to the school board and their solicitor, as well as the county, putting them on notice that the township will no longer agree to settlements that have been approved by either of those two parties without consultation with the township.

MOTION to approve the settlement of Tax Assessment Appeal for the West Shore Country Club for the years 2011 through 2018 and authorize the Solicitor to execute the Settlement Agreement already approved by the School District and the County, was made by Mr.

Tyson, seconded by Ms. Magaro, and was carried by a majority of aye votes, with Mr. Gelb and Mr. Skip Magaro voting in the negative.

Ms. Magaro noted she seconded the motion so that the township does not have to incur costs of further litigation on the matter, and asked the Solicitor to draft a letter to the two other entities indicating that the township will not agree to any further tax assessment appeal agreements without consultation with the township. Mr. Kuntzelman noted he voted in favor of the motion for the same reason, that the township does not incur further litigation, and asked the Solicitor to draft a letter to the other entities as discussed.

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MOTION to accept the Deed of Easement and Dedication from Senate Plaza Bar, LP, for the public sanitary sewer line and related facilities at the Camp Hill Commons land development, subject to receipt of financial security for the 18-month maintenance period in an amount of \$11,714.82, was made by Mr. Skip Magaro, seconded by Mr. Tyson, and was carried by a unanimous aye vote.

MOTION to approve the mutual aid agreement between East Pennsboro Fire Department and Defense Distribution Center-Susquehanna (New Cumberland), was made by Mr. Skip Magaro, seconded by Mr. Tyson, and was carried by a unanimous aye vote.

## VII. NEW BUSINESS

Mr. Pietropaoli reviewed the Sewer and Sanitation Delinquent Account update, which is attached to the minutes.

MOTION to adjourn the meeting at 8:40 p.m. was made by Ms. Magaro, seconded by Mr. Tyson, and was carried by a unanimous aye vote.