

EAST PENNSBORO TOWNSHIP
BOARD OF COMMISSIONERS
APRIL 3, 2019

Regular Meeting

7:15 p.m.

A Regular Meeting of the East Pennsboro Township Board of Commissioners was held on Wednesday, April 3, 2019, at 7:15 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; Mike Dobson, Facilities Manager; William Baker, Codes Enforcement; Chief Mark Green, Police Department; and Erik Owen, Fire Marshal.

I. CALL TO ORDER

President Kuntzelman called the meeting to order at 7:15 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 an Executive Session was held from 6:30 p.m. to 7:10 p.m. regarding security audit and no action was taken.

III. APPROVAL OF REPORTS

MOTION adopting the following itemized reports:

1. Building Permit Report - March 2019
2. Fire Department Report - March 2019

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

IV. APPROVAL OF MINUTES

MOTION approving the minutes of the Workshop/Business Meeting for February 20, 2019, was made by Ms. Magaro, seconded by Mr. Tyson, and was carried by a unanimous aye vote.

V. PRESENTATION

Mr. Zach Willard and Mr. Chris Hoffert from PFM Financial Advisors discussed the possible refinancing of the 2010 Build America bonds that were used for sewer projects which were done under the American Recovery and Reinvestment Act. Mr. Willard outlined that they addressed the board in October about the opportunity to refinance if interest rates came down further than they were at the time. In the meantime, they focused on improving the credit rating and this year the township received a 1 notch upgrade. Since that time, interest rates have fallen about 1 percent. The 10-year call date is approaching next year. At the time of the call date, the township will have the ability to see if interest rates are lower and take advantage of saving money by refinancing. The rates are currently significantly lower, although the call date is next year, and at current rates the township would be able to achieve a net savings of approximately \$1 million for the \$22 million bond. At the interest rates back in the fall, net savings would have been around \$200,000, which was not enough to move on refinancing at that time.

He proposed initiating the paperwork to reissue \$22 million of debt where they can get to within a 2-week striking distance and if rates are still similar, the township can execute. If for some reason rates creep back up, it can be put in a holding pattern and see how things progress until the call date next year. The township can take one-fifth of the savings this year and spread out the rest of the debt over the life of the loan. The board concurred with initiating the paperwork and see where rates are two weeks out from signing the paperwork.

MOTION to move forward with the process as outlined by Mr. Zach Willard from PFM for refinancing the 2010 Build America bonds, was made by Mr. Tyson, seconded by Mr. Gelb, and was carried by a unanimous aye vote.

VI. BUSINESS FROM THE FLOOR

Mr. Gene Assante, 781 Acri Road, noted there have been recent reports in the newspaper and on television about municipal financing for stormwater improvements to protect the Chesapeake Bay. He asked what impact township residents might expect. Mr. Tyson noted the township is required to comply with Federal mandates regarding MS4, which is commonly referred to as stormwater improvements. An authority has been formed to review how to implement and pay for the MS4 component. There have been two meetings so far and they are in the process of reviewing what neighboring municipalities have gone through, such as Hampden Township and the Borough of Lemoyne. Their goal is to formulate a structure where fees will be collected for administration of the requirements for MS4 and stormwater. There are many models that neighboring communities use, and the authority is tasked with putting together a formula that is as fair and equitable to everybody within the community as possible.

Ms. Daneen Hutton, a 21-year resident of West Fairview, addressed the board regarding what she considers code violations and pavement failures in West Fairview. She presented the board with a packet containing photographs and a report. She noted she has had correspondence with board members regarding these violations in 2016. She also submitted a request for service to the Township Engineer in June of 2017. She reviewed the 2019 comprehensive plan and saw an initiative for green alley improvement, which might work in one of the areas because of infiltration issues, maybe an alley with an infiltration bed going down the middle underneath the pavers. Ms. Hutton noted in 2009, when the hardscape improvements occurred in West Fairview, North Street was closed off, which increased more usage of the nearby alleyway. It is now a terrible place to drive. She also pointed out sidewalk problems on Third Street and referenced correspondence she sent in 2018 to see if grant money was

available to help out with the project. She noted the township ordinance requires property owners to be responsible for sidewalk repairs, but that makes it difficult for indigent homeowners, and noted for the safety of the citizens, if there is any grant money available, she requested the township take care of these problems.

Ms. Hutton also suggested there may be code violations for an uninspected abandoned vehicle taking up an off-street parking space for 12 years, as well as debris left from a house fire years ago. Mr. Pietropaoli stated he will see if any citations were issued for the violations. Mr. Quigley noted they will need clarification from the Solicitor regarding how to handle the 12-year-old uninspected abandoned vehicle taking up an off-street parking space. He noted there are probably many more than this one in the township, and they need an update as to how to enforce the codes if abandoned vehicles are taking up off-street spots.

Mr. Owen noted as part of the comprehensive plan, staff has been consulting the Urban Land Institute's technical assistance panel with regard to revitalizing West Fairview. This ties into initiatives at the county and State level that Governor Wolf is looking at as far as targeting blight and putting money into an emergency fund that can be used when municipalities do not hit a threshold for disaster relief. They are looking for synergy from different streams of money to revitalize West Fairview. He referenced the streetscape project that was completed a few years ago with financing from the county, and the township has also been investing in West Fairview over the years to bring it up to standard.

Mr. Pietropaoli noted for the record the board is trying to start a clean-up weekend in certain areas to help neighbors who may not be able to do it themselves. It would be a block at a time effort to assist people if they are elderly or absentee landlords to take pride and move forward.

Ms. Hutton stated she appreciated the revitalization and clean-up efforts but asked about the alley pavement, if residents cannot pay for repaving, what could be done to make it safer and smoother.

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Mr. Pietropaoli noted a county grant 15 years ago covered the pavement project. It was based on income and with a majority of properties owned by absentee landlords, the true income does not come out in the study, so a lot of the blocks were not considered because they did not meet the income requirement threshold.

Mr. Hockenberry noted the alley is something that can be fixed, but it is a matter of funding priority. Mr. Pietropaoli asked staff to review the code violations and pavement concerns and report back with a timeframe of what the township can or cannot do. He concurred that something needs to be done to fill in the gaps, although temporary fixes do not last long either.

Ms. Barbara Gertzen, 835 Magaro Road, reported to the board that on February 20, the Historic Preservation Committee of Cumberland County added the Enola Miller house to the county register of historic places. She noted it stands on a 50-acre parcel that is on a fast track for commercial development, with Metropolitan Builders signing a sales agreement to develop the site. Those interested in preserving the Enola Miller house and keeping it at its present location where it has stood for 180 years are interested in establishing a relationship with Metropolitan to develop a parcel that recognizes the historic significance of the Enola Miller house and what that means to the community, but she cannot find a Web site for them. Mr. Owen noted they are out of the Lehigh Valley/Philadelphia area.

Ms. Gertzen asked if anything has been broached with Metropolitan regarding keeping the house in its current location. Mr. Quigley stated staff has had no discussions about the house with Metropolitan. They are aware of the house but there has been no discussion other than that they understand that it needs to be preserved. Ms. Gertson asked if someone would make them aware that it is now on the Cumberland County register of historic places. Mr. Quigley stated they can make that comment, but the requirement to have it preserved is something that everybody involved in the process is aware of.

Ms. Gertson noted Mr. Sam McKinney, Director of Restoration for Northern York County Historical Society, made an inspection of the house on March 16. He has 40 years of experience restoring historic buildings. His report states that it is in amazingly good structural condition, an 8 or 9 on a scale of 10, while it needs a lot of restoration to take it back to its original appearance. He said it is never a good idea to move a building; a reasonable solution would be to work on it at the present location. President Kuntzelman stated he believes all the Commissioners are on board with saving the house.

Mr. Jim Hertzler echoed Ms. Gertzen's comments. He also believes it makes a lot of sense to keep the house where it is and seems to be an unnecessary expense to remove this historic structure.

With regard to economic renewal and revitalization for West Fairview, Mr. Hertzler noted he was on the board in 1997 when the borough was merged with the township, which remains to this day the only municipal merger in central Pennsylvania in modern times, and 1 of only 12 statewide in the past 30 years. With that merger and the State's help, the township secured State funding and other assistance for infrastructure repairs in West Fairview and other projects. There is no doubt that more needs to be done to make this former borough, now a village in the community, the jewel that it can become, the only location on the West Shore with access to the river. The county, through its Housing and Redevelopment Authority, had earmarked \$329,000 from the Federal Home Program fund to be used in West Fairview for the acquisition and rehabilitation of houses for resale to income eligible first-time home buyers. The program is aimed at fixing up housing in need of renovation and repair to bring it up to code but also to enable young families who are now renting and living on modest incomes the ability to purchase their first home.

He was accompanied by Mr. Tim Wheland, Executive Director of the Housing and Redevelopment Authority, who is requesting the township's help in identifying potential properties for

acquisition and to work with the nonprofit Tri-County Housing Development Corporation to put these dollars to good use. He noted time is of the essence, as these dollars need to be expended within two years of the award, which was included in the county's 2018 program, so the deadline for funding expenditures will expire at the end of next year or the beginning of 2021.

Mr. Hertzler noted this could kick-start revitalization for West Fairview. West Fairview will need much more in the way of public and private investment to achieve the kind of renewal other than the \$329,000 that it deserves. There will be a possible visit by the Governor to West Fairview on Friday, weather permitting, and he urged board approval to approve the Governor's Restore Pennsylvania infrastructure improvement plan. The Governor's plan provides resources to help with blight and decay, as well as MS4 requirements.

Mr. Dale Crossland, 267 Mountain Street, complimented the township on the good job recovering delinquent sewer bills.

The president of East Penn Panther United Soccer Club addressed the board regarding a request. He noted a recreation group is using the football field across from the east fields now. They were not allowed to use the field and asked the board if they could use it this spring for only five home games. A field manager met with Mike Dobson and discussed using the field and wanted to see how they could somehow invest in the fields to help out the township. Their idea is to help with overseeding the football field. The fields they are using on the east side of Adams-Ricci Park are currently very bumpy. They promised to come out and roll the fields, but until then they were hoping to use that small space for 11-year-old children for their five home games, not for practice. They are committed to do any repairs if needed, they just want the kids to have a safe area to play on.

Mr. Pietropaoli asked if they would be moving their nets between games. He noted they would, and that their field manager stated he would put the nets behind the goal posts. They would move the goal posts, and if needed can oversee it as well, although not much damage really occurs with 11 year

olds. Mr. Pietropaoli related concern from the Recreation Department that it took a while to establish that field and on some of the soccer fields damage areas occur in front of the goals, and that is their concern with this field. If the board elects to grant their request, Mike Dobson, facilities manager, could check after every game to make sure there is not a problem before damage starts. Mr. Skip Magaro suggested the request be granted on a trial basis, and no practice, just games. The board concurred. Mr. Magaro further suggested posting a sign indicating the field is for reservation only. Mr. Pietropaoli stated they will keep a close eye on it and provide an update over the upcoming weeks.

Mr. Hertzler informed the board Northeast Fire and Rescue will no longer be the polling place for the voters of the Summerdale precinct. The new location will be the East Pennsboro Elementary School. They looked at Central Penn College and the IU, but they do not meet ADA compliance standards. All voters of the precinct will be notified of the change by mail, and it will also be listed on the county's Web site.

VII. 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 Resolution 2019-05 in support of Restore Pennsylvania, a \$4.5 billion infrastructure improvement plan, was made by Mr. Gelb, and seconded by Mr. Skip Magaro.

Mr. Tyson noted he received the agenda yesterday which only included the resolution and he would like to further study the plan. He thanked Commissioner Hertzler for providing the packet tonight, but he was not prepared to vote in the affirmative without reviewing the information. Ms. Magaro asked if the resolution could be tabled until the next meeting so she could read the information as well. Mr. Gelb and Mr. Skip Magaro reviewed the information earlier.

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A roll-call vote was taken, and the motion failed by a vote of 2 to 3, with Mr. Gelb and Mr. Skip Magaro voting in the affirmative, and Mr. Kuntzelman, Mr. Tyson and Ms. Magaro voting in the negative.

MOTION to table item no. 2 on the agenda until April 17, 2019, was made by Mr. Tyson, seconded by Ms. Magaro, and was carried by a majority of aye votes, with Mr. Tyson, Ms. Magaro, and Mr. Kuntzelman voting in the affirmative, and Mr. Gelb and Mr. Skip Magaro voting in the negative.

MOTION to refer proposed College Overlay Zoning District Map and Text Amendment to East Pennsboro Township Planning Commission and Cumberland County Planning Agency, was made by Mr. Tyson, seconded by Mr. Skip Magaro, and was carried by a unanimous aye vote.

MOTION to adjourn the meeting at 8:35 p.m., was made by Ms. Magaro, seconded by Mr. Tyson, and was carried by a unanimous aye vote.