

EAST PENNSBORO TOWNSHIP
BOARD OF COMMISSIONERS
MAY 1, 2019

Regular Meeting

7:15 p.m.

A Regular Meeting of the East Pennsboro Township Board of Commissioners was held on Wednesday, May 1, 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, Charley 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; 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 held remembering former Township Solicitor Henry F. Coyne, a great man who left behind a great family, followed by the Pledge of Allegiance to the Flag.

II. EXECUTIVE SESSION

President Kuntzelman reported that the board held an Executive Session for personnel matters from 6:45 p.m. to 7:15 p.m., with no action taken.

III. PRESENTATION

The board congratulated Vic McBride for his years of service on the Recreation Board, for coming up with the great idea of Pumpkin Fest and other great ideas for the community. A plaque in recognition of his many years of service was presented to Mr. McBride. He spent 20 years as the Pumpkin Fest manager.

Mr. McBride also thanked Helen Griffith, who helped him with the idea of the Pumpkin Fest. He suggested Pennsboro Fair, and she thought it should be Pumpkin Fest.

Mr. McBride also noted Mr. Skip Magaro was one of their early helpers in recreation, and years later Cherie Matter was invaluable. He also thanked the tireless workers who help run Pumpkin Fest, the township crew, the people who make the lines, the Fire Police, et cetera, who are the real strength of the festival.

IV. APPROVAL OF REPORTS

MOTION approving the following itemized reports:

1. Police Report - March 2019
2. Building Permit Report - April 2019

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

V. APPROVAL OF MINUTES

MOTION approving the following itemized minutes:

1. Regular Meeting - April 3, 2019.
2. Workshop/Business Meeting - April 17, 2019

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

VI. ITEMS FOR DISCUSSION AND APPROVAL

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

MOTION to award the North Pumping Station Mechanical Upgrades contract to Heisey Mechanical, Ltd., in an amount of \$476,400.00, as recommended by RK&K, upon review of the Township Solicitor, was made by Ms. Magaro, seconded by Mr. Tyson, and was carried by a unanimous aye vote.

MOTION to approve the updates and revisions to the township nonuniform/non-Teamster employee handbook, was

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

(Whereupon, the meeting was recessed at 7:30 p.m. in order to hold a public hearing, and was reconvened at 7:38 p.m.)

III. PRESENTATIONS - (Cont'd)

Mr. Ben Ried, from Eckert Seamans, Township Bond Counsel, and Mr. Christopher Hoffert, from Stifel, Nicolaus & Company, bond underwriter, addressed the board regarding bond refinancing of the 2010-A Build America Bonds. They reviewed the significant savings achievable by refinancing at current interest rates. Over the last few weeks they have been working with township staff, who did a great job on the call with Standard & Poor's a week ago. They should have the outcome of that rating in the next few days. The outcome will dictate achievable savings. Based on the Township's current rating, those savings are very significant, and depending on the outcome of the S&P rating, which they expect to be a better outcome, those savings will be well above what the board reviewed last month.

In terms of timing, they are still working through some of the preparation, working with the township to construct and draft what is called the preliminary official statement, which is the offering document that they will use to market the bonds when they go to market. They are scheduled to post that sometime in the next week or two, and they are targeting a sale date, meaning when they actually go into the bond market and price the bond, lock in the interest rate and thus the savings rate for the township on May 16. They have to get approval from the State on the Local Government Unit Debt addition. Proceeds from the new bond issue will go into an escrow account until the bond is called in 2020, but then the township will have the 2019 new bonds to provide for the debt service. They were originally used for sewer system projects and were self-liquidating from sewer revenue.

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Mr. Ried and Mr. Hoffert plan to be back next month with the results and will be working with township staff as they move to pricing around May 16.

Mr. Ried distributed copies of a proposed ordinance for the Commissioners to consider tonight regarding the refinancing. The statute Mr. Hoffert referenced proposed that notice be advertised, which appeared in Sunday's edition of the Patriot-News. Advertisement only needs to be a few days before the meeting. By enacting this ordinance, the Commissioners would be authorizing every step and action to get to that point and bond underwriter and bond counsel would not have to come before the Commissioners again. They would work behind the scenes with township staff. Approval of the proposed ordinance would indicate the Commissioners accept or authorize the refinancing and enter into a bond purchase agreement with Stifel, Nicolaus, authorizing and issuing bonds up to \$27 million.

The second part is meeting a savings target of at least 3 percent of the principle amount of the bonds being refunded, which comes out to around \$660,000. A minimum savings threshold is needed to be met before entering into the addendum and locking in savings. Mr. Hoffert noted based on current conditions, the township is well north of that threshold today.

VI. ITEMS FOR DISCUSSION AND APPROVAL - (Cont'd)

MOTION to approve Resolution 2019-08 of the Township of East Pennsboro, Cumberland County, congratulating Kyle Putt, 31 Wetherburn Road, member of Boy Scout Troop 89, Enola, Pennsylvania, on receiving his Eagle Scout award, was made by Mr. Skip Magaro, seconded by Ms. Magaro, and was carried by a unanimous aye vote.

Commissioners Tyson and Kuntzelman presented the resolution to Kyle Putt. Mr. Ken Moore, Chief of Company 17, thanked Eagle Scout Putt on behalf of the Fire Department for his project, which has been very useful for training, and they look forward to years of use.

III. PRESENTATIONS - (Cont'd)

Agricultural Tourism Business Ordinance presentation by Bill Baker. Mr. Baker stated the Planning Commission has been working on a new ordinance for agritourism, a copy of which he presented to the board. He asked the board to review the proposed ordinance and get back to him with any questions or concerns. Mr. Pietropaoli noted they hope to have a motion to advertise the ordinance in perhaps two weeks, and then depending on the time schedule, adopt the ordinance in June or July.

Mr. Tyson asked if there were residents in the audience who would like to speak to the agritourism ordinance.

Ms. Terri-Lee Christiana, business co-owner of Christiana Winery, 2195 Valley Road, addressed the board as a resident of East Pennsboro Township, a veteran who wanted to get back to this community after her time in the military. She and her husband enjoy making wine and want to share it as a small winery in the community. They also give back to prostate cancer. They have been working with the township and working with some of the other wineries as to how this can happen for East Pennsboro. After reviewing the rough draft of the ordinance, they provided recommendations for the board.

In the wine industry, not every grape grows in Pennsylvania, so the stipulations of 75 percent being produced at their property would be very difficult. Their property is not conducive to grape growing. All of their grapes to date come mostly from the State of Pennsylvania, mostly Cumberland County, but last year with all the rain they could not procure any grapes from the State, and they suggested a stipulation in the event of a bad growing season. Additionally, the limit of 5 acres, they noted a lot of the properties in the agricultural district are under 5 acres. In particular, their farm is 3 1/2 acres. They would also like to have "commodity" defined as to what an agriculture commodity is so they are sure what they would be allowed to sell as wineries, such as fruit wine

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and other products from grapes, seeds, candles, or Chap stick, and things of that nature.

Mr. Rick Bell, of Bell Farms, 1075 Valley Street, offered suggestions for the board's attention as well. He noted his farm has been a family farm for over 70 years, and the last actual farm in East Pennsboro Township that is producing food. He plans to retire in farming, after having been a teacher at Milton Hershey School, where he brought students to understand farm life and where their food comes from. He questioned the 75 percent requirement and noted he cannot continue to farm if he can only supplement within that scale, especially with last year's rain. Supplementing 25 percent of his income will run him out of business during a bad growing year. He also questioned the supply requirement of only products from Cumberland County, and questioned what good that will do during a rainy year, because if he cannot grow, they cannot grow either, and noted it has to at least be opened up to Pennsylvania, Lancaster, or something like that.

Mr. Pietropaoli asked them to provide the township with a suggested percentage recommendation. Mr. Bell noted this all started because he wanted to grow Christmas trees, yet he does not see Christmas trees in the proposed ordinance, which is a commodity product as defined by the State, and asked that "commodity product" be better defined in the proposed ordinance. He stated this process has taken 2 1/2 years from when he started, but he does not agree with the limitations. He can get a produce market license from the Department of Agriculture and go to K-Mart and not grow to a single thing, but that is not what he is looking to do for the community. He enjoys interacting with people who come to his farm, and when he was selling Christmas trees he created the corn maze to keep kids active during their adventure of picking a tree, not to make money. He also has goats and farm animals where he would like to set aside a petting zoo for kids when they visit the farm.

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Mr. Skip Magaro noted at one time this township was built on a lot of farms, but is down to two or three and noted the township must help the community preserve these farms.

Ms. Christiana noted her vision for the agricultural district would be if they could open their winery and help some of the properties around her farm with perhaps a lease agreement for utilizing their available land to plant grapes so the grapes will come from Enola. They want to be the first winery in East Pennsboro. She further noted agritourism helps keep developers from turning farms into housing developments, which is a plus for the township and its residents to have green space.

Ms. Char Magaro, 606 Magaro Road, stated having more green space in the township is important not just for humans, but the migratory paths of animals that go through the township as well. To preserve the green space, particularly if it is going to be used for agriculture, is something that enriches the community on many levels, makes a more desirable place to live, as well as having places where children can experience nature on a farm is invaluable and increases tourism.

Mr. Pietropaoli recommended staff take the comments into consideration and work on a revised draft with the residents to review and come back in two weeks with a revised draft ordinance ready to be advertised.

VII. BUSINESS FROM THE FLOOR

Mr. Jim Speck, 304 Erford Road, a 30-year township resident, addressed the board concerning speeding on Erford Road, as well as thefts from his vehicles parked in front of his house. He would like to see more police presence.

President Kuntzelman asked Mr. Speck to work with the police, and that police presence be increased on Erford Road.

Ms. Barb Gertzen, 835 Magaro Road, informed the board the Historical Society is planning a celebration on Sunday, June 23, at 200 First Street, where they will unveil the plaque of the Enola Miller house being put on the historical register. Representative Rothman will be there, as well as Commissioners Kuntzelman and Tyson. She opened the invitation to the community.

Mr. Jim Leonard, 65 Pine Ridge Circle, addressed the board concerning the special event park usage agreement from the Recreation Department for the celebration and noted there are different things in the agreement which will not apply to them because 200 First Street is not really a township park. Mr. Owen noted the emergency management staff will work with them about the use agreement requirements. The county wants to know if there is more than 100 people because they need to know if there are any soft targets.

Mr. Vic McBride informed the board he has lived at 33 College Hill Road for many years and he is thankful for the bike lanes that were installed because it is a little safer to go to the mailbox out on the road with the new bike lane buffering traffic. He also would like to see police presence increased.

VI. ITEMS FOR DISCUSSION AND APPROVAL - (Cont'd)

MOTION to enact Ordinance No. 806- 2019 authorizing issuance of a new series of bonds to retire the Township's 2010 Build America Bonds at such time as the parameters set forth in the ordinance are met, was made by Mr. Gelb, seconded by Ms. Magaro, and was carried by a unanimous aye vote.

MOTION to approve Ordinance no. 807-2019 amending the Zoning Ordinance of the Township of East Pennsboro to add "Personal Services" as a permitted use within the Professional Office (PRO) Zoning District was made by Mr. Tyson, seconded by Ms. Magaro, and was carried by a unanimous aye vote.

The board reviewed the land development plan for Senate Plaza Bar, LP. Mr. Pietropaoli noted this is the hotel at the old Senate Plaza site. Mr. Chris Delinger with Herbert Rowland and Grubic represented Pad Site #3 of the Senate Plaza development, which is adjacent to House Avenue and the other side of the private road from the Sheetz and the commercial properties that were recently constructed. They are proposing a 113-room Comfort Suites hotel, which a detached restaurant. Storm water plans for this project were submitted as part of the overall Camp Hill Commons plan. They simply must tie into the previous systems. Plans were submitted to the township and went before the Planning Commission, which recommended approval with a few conditions. The plan before the board tonight addresses the Planning Commission comments.

MOTION to approve final land development plan submitted by Senate Plaza Bar LP for tax parcel number 09-19-1590-129U3 and known as Camp Hill Commons Pad Site #3 for a new hotel at 100 Bar South Drive and a future new restaurant at 50 Bar South Drive, was made by Mr. Tyson, seconded by Mr. Gelb, and was carried by a unanimous aye vote.

Mr. Mark DiSanto, with Triple Crown, invited the community to a grand opening at Center Pointe tomorrow morning.

MOTION approving Resolution 2019-05 in support of Restore Pennsylvania, a \$4.5 billion Infrastructure Improvement Plan, was made by Mr. Gelb, seconded by Mr. Skip Magaro, and was carried by a unanimous aye vote.

MOTION to approve the bonfire request from Central Penn College for May 24, 2019, from 12:30 p.m. until 1 p.m., and June 17, 2019, from 6 p.m. to 10 p.m., as recommended by the Township Fire Marshal, was made by Mr. Skip Magaro, seconded by Mr. Tyson, and was carried by a unanimous aye vote.

VIII. NEW BUSINESS

Mr. Tyson thanked township staff for the work being done at Adams-Ricci replacing Imagination Station with Panther Station. He asked that his compliments be passed along to staff.

Mr. Skip Magaro thanked the residents of the township for purchasing the veteran banners and noted riving through town when all the banners are put up will be awesome.

Mr. Gelb thanked Vic McBride for his years of service. He noted he served with Mr. McBride on the Pumpkin Fest committee since 2005, and as a Recreation Board member prior to becoming a Commissioner, and knows how hard Mr. McBride worked for the success of the Pumpkin Fest.

Mr. Gelb also thanked the fire stations and the chiefs of those stations, as well as the Police Department, for all they do for the community.

MOTION to adjourn the meeting at 8:32 p.m. was made by Ms. Magaro, seconded by Mr. Skip Magaro, and was carried by a unanimous aye vote.