

EAST PENNSBORO TOWNSHIP  
BOARD OF COMMISSIONERS  
DECEMBER 18, 2019

Regular Meeting

7:30 p.m.

A Regular Meeting of the East Pennsboro Township Board of Commissioners was held on Wednesday, December 18, 2019, 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, Charley Gelb and Mr. Raymond "Skip" Magaro; John Pietropaoli, Township Manager; Lisa M. Coyne, Esquire, Township Solicitor; John Owen, Assistant Manager; Jared Hockenberry, Township Engineer; Dearan Quigley, Housing & Community Development; Ed Meyers, WWTP; 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. EXECUTIVE SESSION

President Kuntzelman noted the board met in Executive Session prior to convening the meeting tonight from 6:45 p.m. to 7:15 p.m. for a matter of personnel and also a matter of possible litigation, with no action taken.

III. APPROVAL OF MINUTES

MOTION approving the minutes from the Regular Meeting of December 4, 2019, was made by Ms. Magaro, seconded by Mr. Tyson, and was carried by a unanimous aye vote.

IV. BUSINESS FROM THE FLOOR

Mr. George DeMartyn, 25 Hillcrest Road, asked if the board wished to review the letter from the Historical Society that was delivered at the last meeting. There were no questions from the board regarding the letter. Mr. DeMartyn noted they are trying to get an idea of the time line and asked if the preliminary or final subdivision plan

has been approved yet. Mr. Owen noted just the preliminary. The final plan has not been submitted, and a plan for Capital Area Intermediate Unit has also not yet been submitted.

Mr. Skip Magaro asked if when this process started, the Historical Society wanted the building turned over to them. Mr. DeMartyn indicated that was correct. Mr. Skip Magaro stated his recollection of the recent letter asked the township to continue the practice as is done on Cherry Street, where the township keeps the building and maintains it. Mr. DeMartyn clarified that the Historical Society would maintain it.

Mr. Tyson commented regarding the cooperation agreement, which was written between all the entities - the Intermediate Unit, the township, the developer, the County Industrial Development Authority, and the Historical Society - acceptance of the cooperation agreement is written in a way that the Historical Society can become a fifth participant in the cooperation agreement. Mr. DeMartyn asked if the house would be turned over to the Historical Society, which Mr. Tyson concurred it would. Mr. Tyson noted a concern that the Intermediate Unit has to follow the School Code, which requires them when gifting property or turning property over, if the property owner that received it, and sometime down the road there would be a decision to relinquish ownership, that property goes back to the Intermediate Unit. He is concerned that that does not occur, and he believes that the best use and the most interested party that should be the recipient of the house is the Historical Society.

Mr. Tyson's further understanding is that the agreement of sale that all parties have agreed to requires the developer to either leave the house where it is or they can relocate it. They want to relocate it, and in so doing, the agreement of sale requires that once the house moves from point A to point B, once it gets to point B it must be in as good as or better condition than it currently is. The moving company has to have insurance payable to the restoration of any damage that would occur to the house, and the township would be able to review those

documents to make sure that in the event that something bad would occur, it does not become the problem of the township to resolve.

Mr. Gene Assante noted this is the same conversation that was before the board a few months ago and suggested it is not the best use of the Historical Society's or the township's time to have another public airing. He suggested it would be more fruitful if the township and the Historical Society would meet privately to get this worked out, possibly a number of people from the Historical Society and several Commissioners could meet to resolve these issues regarding the proper amount of insurance, scanning before the move or not scanning, and then come back to the public meeting to preserve the agreement.

Mr. Pietropaoli noted he can schedule a meeting. Regarding real estate, they can meet privately, and the whole month of January and probably half of February would be available. Mr. Skip Magaro agreed it would be a great idea to form a committee.

Mr. Bill Brougher complimented President Kuntzelman for his years of service and how the Fire Department has appreciated his support over the years. They hope he will remain active in the community. Mr. Brougher also thanked the township for the truck rental, and for allowing Northeast Fire and Rescue to use the old landfill to put fill from the parking lot. He noted the Summerdale station is moving forward.

On a personal note, Mr. Brougher thanked the board for holding the line on the fire tax until both remaining fire companies have a plan to move forward.

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

The board reviewed the 2020 township budget. Ms. Coyne noted the budget has been properly advertised in accordance with statute and code. Notice of availability for review was in the November 26 edition of the Patriot-News, and it has been available at the township for public viewing.

MOTION to adopt the East Pennsboro Township budget for the 2020 fiscal year was made by Mr. Tyson, seconded by Ms. Magaro, and was carried by a roll-call vote of 5-0.

The board reviewed the tax levy ordinance with the proposed change in the budget in tax millage. Ms. Coyne noted the ordinance appeared in the November 26 edition of the Patriot-News for public view.

MOTION to approve tax levy Ordinance no. 812-19 of the Township of East Pennsboro, Cumberland County, fixing the tax rate on real estate for the year 2020, was made by Mr. Tyson, seconded by Ms. Magaro, and was carried by a roll-call vote of 5-0.

Ms. Coyne then reviewed the beverage production ordinance with the board and noted for the record that the notice of intent of possible enactment of this ordinance appeared in the November 26 and December 3 editions of the Patriot-News.

MOTION to approve Ordinance no. 813-19 of the Township of East Pennsboro, Cumberland County, permitting by right beverage production in the O-A, C-L, and C-G Zoning Districts, was made by Mr. Gelb, seconded by Mr. Skip Magaro, and was carried by a unanimous aye vote.

MOTION to approve the nonuniform/non-Teamster wage increases for 2020, as budgeted, was made by Mr. Skip Magaro, seconded by Mr. Tyson, and was carried by a unanimous aye vote.

#### VI. OLD BUSINESS

Mr. Pietropaoli referred the Commissioners to two letters from Northeast Fire and Rescue for their review.

Also, Mr. Steve Franchak has requested a meeting regarding the caboose tomorrow afternoon at 1 p.m. at the township building, for anyone interested in attending.

VII. NEW BUSINESS

Mr. Tyson personally thanked President Kuntzelman for all his years of service. He noted it has been an honor working with Mr. Kuntzelman over the years and he asked that he not be a stranger.

President Kuntzelman thanked Mr. Tyson and the board and noted it has been a pleasure for him to serve with this board and the staff, and he noted he will be around.

MOTION to adjourn the meeting at 8:10 p.m., was made by Mr. Tyson, seconded by Ms. Magaro, and was carried by a unanimous aye vote.