

EAST PENNSBORO TOWNSHIP  
BOARD OF COMMISSIONERS  
JANUARY 6, 2020

Regular Meeting

7:00 p.m

A Regular Meeting of the East Pennsboro Township Board of Commissioners was held on Monday, January 6, 2020, at 7:00 p.m. at the Community and Municipal Center, 98 S. Enola Drive, Enola, Pennsylvania.

Those present were: Commissioners - George Tyson, President; Raymond "Skip" Magaro, Vice President; Kristy Magaro, Charles Gelb and Walter "Joe" Fidler; John Pietropaoli, Township Manager; John B. Owen, Assistant Township Manager; Robert Coyne, Esquire, Acting Township Solicitor; Chief Mark Green, Police Department; and Erik Owen, Fire Marshal.

I. CALL TO ORDER

Township Manager John Pietropaoli called the meeting to order at 7:00 p.m. A moment of silent meditation was observed, followed by the Pledge of Allegiance to the Flag.

II. ELECTED/RE-ELECTED COMMISSIONERS

Magisterial District Judge Sanderson swore in Commissioners Tyson and Fidler.

A roll call was taken and a quorum was present.

III. ELECTION OF OFFICERS

Mr. Pietropaoli turned the meeting over to the Acting Solicitor, Mr. Robert Coyne.

Mr. Coyne opened nominations for President of the board. Mr. Skip Magaro nominated Mr. George Tyson. Mr. Fidler nominated Mr. Gelb. There were no other nominations, and the nominations were closed.

A roll-call vote was taken, with Mr. Tyson receiving 3 votes and Mr. Gelb receiving 2 votes. Mr. Tyson was declared President of the board.

Mr. Coyne handed the gavel to President Tyson.

President Tyson opened nominations for Vice President. Ms. Magaro nominated Mr. Skip Magaro. Mr. Fidler nominated Mr. Gelb. There were no other nominations, and the nominations were closed.

Mr. Gelb questioned past practice, when Mr. Magaro was nominated for a FRAC board, a fire related board, and Mr. Skip Magaro and Ms. Magaro both abstained because of the appearance of a conflict of interest or an appearance of impropriety by voting for a family member, and he asked if that would still be the case for voting for a family member or making a nomination for a family member tonight.

Mr. Pietropaoli noted he asked the Solicitor about that and she said everyone will have to vote for one of the board nominations because that is the duty of an elected official. Mr. Robert Coyne noted everybody has to vote and he perceived no conflicts.

Mr. Gelb noted past practice two years ago when the board President abstained from voting for himself and the vote went back and forth several times because a lot of people abstained from the vote. Mr. Pietropaoli noted the opinion of the Solicitor is that a board member could vote for themselves.

A roll-call vote was taken, with Mr. Skip Magaro receiving 3 votes and Mr. Gelb receiving 2 votes. Mr. Skip Magaro was declared Vice President of the board.

#### IV. BUSINESS FROM THE FLOOR

Mr. Philip Grosklos, 944 River Road, addressed the board about a continuing conflict with a person running a business near his property. He stated he is being harassed going in and out of his residence. He reported it to the board two years ago and was told to get a lawyer, but he has tried unsuccessfully to get a lawyer and the problem persists. President Tyson asked staff

to look into the matter. Mr. Owen, along with Chief Green, will investigate and report back to the board.

Mr. Fred Ricupero, 59 South Enola Drive, addressed the board regarding Birch Street being made one way. He has had his business at the corner of Wertzville Road and South Enola Drive since 1979. Turning the alley into one way creates a big problem for him, as from time to time they use the lower part of the shop to pull a trailer into the garage bay. He requested the alley remain a two-way street.

Ms. Cindy Heinl, 55 South Enola Drive, also expressed reservations about Birch Street being made one way because her property is a commercial property and if she were to rebuild and put a business in, her parking is behind and she would have to send customers around the block to come back in.

Ms. Cristi Kitner, 422 Lafayette Street, addressed the proposed ordinance to make Kemper Alley one way. She thanked the board for paving Kemper Alley and noted it is much safer. She asked why it is being proposed to be made a one-way street and noted a lot of her neighbors are against the proposal because people who live at the end by Humer Street go in and out of Humer Street, and the people who live closer to Givler Avenue go in and out of Givler Avenue. Since there are not many people who live in the middle, she does not see a need to change it to one way. Those who live close to Humer Street never travel down to her end of the alley, and it will create more traffic on the road. She presented a copy of an email sent by a neighbor at the end of the alley who sent it to each board member but wanted to make sure they received her concerns.

Ms. Linda Guth, 240 North Enola Drive, who also owns property at 425 Kemper Alley, stated that she requested Kemper Alley to be one way three years ago and has renewed the request each year. In 2017, she went to each residence to sign a petition, which was presented to the board. The reason for having it one way was

because traffic going out to Givler Avenue instead of Humer Street, drivers cannot see because Ziegler's Garage is on the corner blocking view, especially when

cars park on both sides. If you come out Humer Street, vision is not blocked. She noted they also asked for a lower speed limit to be posted. She noted two years ago everyone who parks in the alley signed the petition, plus the people who park from Shady Lane, because people from Shady Lane park in the alley. She also noted there is an issue with a tree that was supposed to be removed when the apartments were built but it is still there and branches are hanging down and breaking off.

Mr. Jim Leonard, 65 Pine Ridge Circle, Enola, addressed the board about the notice residents in the recent sewer bills noting an additional \$20 per quarter that may be added to the sewer bill for stormwater drainage and asked for clarification.

President Tyson noted the stormwater management fee is part of the MS4, which is required by the Federal government for any State that has water that eventually drains to the Chesapeake Bay. The main requirement is to reduce nutrients and sediment that ultimately goes into the Chesapeake. The fee is what they anticipate it to be and there will be a vote at the East Pennsboro Township Authority meeting most likely later this month, which will be the third Thursday of the month. DEP issues a permit to every municipality every five years, and that permit is an outline that the municipality submits for approval of what action it is going to take to meet the mandated reduction requirements from the Federal government. For several years now, the township has been doing improvements within the system and it has addressed all it can do without having to assess the fee. The township is at the point now where it has to build more infrastructure to do the additional steps to demonstrate that the reductions are taking place.

V. APPROVAL OF MINUTES

MOTION approving the minutes of the Regular Meeting of December 18, 2019, was made by Ms. Magaro, seconded by Mr. Magaro, and was carried by a majority of aye votes, with Mr. Fidler abstaining.

VI. ITEMS FOR DISCUSSION AND APPROVAL

MOTION establishing the first Wednesday of each month as the regular monthly meetings of the Board of Commissioners, and the third Wednesday of each month as a combination workshop/business meeting of the Board of Commissioners both commencing at 7:00 p.m., except during the months of June, July, and August when a combination workshop/business meeting will be held the first Wednesday of the month, the Commissioners' workshops and business meetings will begin at 7:00 p.m., the business meeting portion of the combination workshop/business meeting agenda will begin at 7:30 p.m., was made by Ms. Magaro, seconded by Mr. Skip Magaro, and was carried by a unanimous aye vote.

MOTION to appoint John Pietropaoli as Township Manager/Secretary for the Board of Commissioners, was made by Ms. Magaro, seconded by Mr. Gelb, and was carried by a unanimous aye vote.

MOTION to appoint John Owen as the Assistant Township Manager/Assistant Secretary for the Board of Commissioners, was made by Ms. Magaro, seconded by Mr. Gelb, and was carried by a unanimous aye vote.

MOTION to appoint Erik Owen as Fire Chief, was made by Ms. Magaro, seconded by Mr. Skip Magaro, and was carried by a unanimous aye vote.

MOTION to appoint Lisa M. Coyne, Esquire, and the firm of Coyne and Coyne, as Solicitor for the Board of Commissioners, was made by Mr. Skip Magaro, seconded by Mr. Gelb, and was carried by a unanimous aye vote.

MOTION to appoint Pillar & Aught as Labor Relations Counsel for the Board of Commissioners, was made by Ms. Magaro, seconded by Mr. Fidler, and was carried by a unanimous aye vote.

Mr. Gelb asked if any other group expressed interest in being Township Auditor. Mr. Pietropaoli noted the board must appoint an auditor now because of being in the middle of an audit, but he suggested an RFP be put out this year for selection for next year.

MOTION to approve the following appointments:

1. Eckert Seamans Cherin & Mellott, LLC, as Bond Counsel for the Board of Commissioners;
2. GHD Engineering Services as the Wastewater Treatment Facilities Engineers for the Board of Commissioners;
3. Grove Miller Engineering, Inc., as Traffic Engineer Consultant for the Board of Commissioners;
4. Boyer & Ritter, CPA, as the Township Auditors to the Board of Commissioners;
5. Ann-Marie Sweeney as the Recording Secretary to the Board of Commissioners, Zoning Hearing Board, Hometown Security Council, Intergovernmental Committee, West Shore Area Authority, East Pennsboro Authority, and East Penn Industrial Development Authority

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

Chief Green reviewed the Civil Service process regarding hires and promotions for the Police Department. As a First Class Township, candidates for promotion are required to go through the Civil Service testing process, which provides for certain requirements, including candidates take a written exam, oral interviews, and a list of candidates is generated, from which he makes a recommendation from the top three candidates. For the current Detective Sergeant position in the Police Department, he recommends Adam Shope.

MOTION to promote Adam Shope to the Detective Sergeant position in the Police Department effective Sunday, January 12, 2020, per the recommendation of the Chief of Police, was made by Mr. Skip Magaro seconded by Mr. Fidler, and was carried by a unanimous aye vote.

Mr. Pietropaoli noted the board should be appointing a Township Treasurer. The Solicitor must draft an ordinance amending the township codification regarding the appointment of a Township Treasurer. He noted a lot of First Class Townships currently have a staff member that handles the accounting and books, someone who is a little more hands-on instead of the tax collector, whose main duties are collecting taxes. This is something that Hampden, Lower Allen, and other townships have done. The appointment would come at a later date.

MOTION to direct the Solicitor to draft and advertise an ordinance amending Township codification regarding appointment of Township Treasurer pursuant to Section 55803-A of the First Class Township Code, was made by Ms. Magaro, seconded by Mr. Fidler, and was carried by a unanimous aye vote.

Mr. Pietropaoli discussed with the board that there are already a lot of building projects on the books and the township needs an agreement for an as-needed engineer since the former Township Engineer has left, until a new Township Engineer is hired. The former Township Engineer is with this firm.

MOTION to authorize the proposal for consulting engineering services for Honor Engineering Co. for as-needed third party engineering and survey services, was made by Ms. Magaro, seconded by Mr. Gelb, and was carried by a unanimous aye vote.

Mr. Pietropaoli noted regarding the omnibus Motor Vehicle and Traffic Ordinance, the township usually takes petitions, questions, and concerns, and because advertising is expensive, they wait until there is a

group of them in the same category. The one-way requests for Kemper Alley and Birch Street fell in with requests for stop signs, changing speed limits, et cetera, and was advertised in one large advertisement. Residents of the area are notified to see if there are any concerns, and usually a public hearing is held before adoption. He noted the board can exclude items out of it, but not add to it. The Solicitor recommended that the board either include everything and adopt as advertised or deny a portion to revisit. Mr. Skip Magaro felt there were too concerns regarding the one-way alley requests, and since one of the requests is three years old, with a petition two years old, he would like to research the alleys a little more.

Mr. Pietropaoli noted the complaints regarding Birch Street were received after the new apartments opened off of Grant Street. Because of difficulty at times making a lefthand turn during certain hours at the intersection of Wertzville Road and Enola Drive, some people decide to make a shortcut down Birch Street, cut across Cassatt Street, and go to Cumberland Road to make the left and go into the apartments instead of following Enola Drive. It is a major inconvenience for Mr. Ricupero and Mr. Mauer to make Birch Street one way. He noted the township is trying to prevent a problem but does not want to create another one.

MOTION to adopt Ordinance no. 814-2020 regarding amendment to Township Motor Vehicle and Traffic Ordinance Chapter 15 regarding Township maximum speed limits, traffic signals, one-way streets, turning at certain intersections, through highways, stop intersections, weight limits on certain streets and bridges, no parking at certain locations, residential permit parking, and prohibiting parking which obstructs mailboxes, not to include Birch Street and Kemper Alley, was made by Mr. Skip Magaro, seconded by Mr. Fidler, and was carried by a unanimous aye vote.

VII. NEW BUSINESS

Mr. Pietropaoli passed out a list of Commissioner appointments to the board. He asked the Commissioners to review and let him know which appointments they are interested in.

Mr. Skip Magaro noted East Pennsboro Township is the only municipality that does not have Christmas lights on its township building. He suggested a few ornamental lights might help make the town a little more quaint.

President Tyson presented a plaque and gavel on behalf of the Board of Commissioners honoring former President John Kuntzelman for over 48 years of dedicated service to East Pennsboro Township.

President Tyson stated he considers it an honor to have been elected to the Board of Commissioners and hopes he can have the same commitment, dedication, and honor that John Kuntzelman showed as president of the board throughout the history of this township, and he commits to doing all that he can do to earn that honor.

Mr. Skip Magaro noted he has been with the township since 1978, when he was first employed with the township. He loves his township and promises to do what he can for the township and its citizens.

MOTION to adjourn the meeting at 7:55 p.m. was made by Ms. Magaro, seconded by Mr. Skip Magaro, and was carried by a unanimous aye vote.