

EAST PENNSBORO TOWNSHIP
BOARD OF COMMISSIONERS
MARCH 4, 2020

Regular Meeting

7:00 p.m.

A Regular Meeting of the East Pennsboro Township Board of Commissioners was held on Wednesday, March 4, 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; Lisa Coyne, Township Solicitor; John B. Owen, Assistant Township Manager; Dearan Quigley, Housing & Community Development; Chief Mark Green, Police Department; and Erik Owen, Fire Marshal.

I. CALL TO ORDER

President Tyson 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. APPROVAL OF MINUTES

MOTION to table the minutes of February 5, 2020, and February 19, 2020, was made by Mr. Skip Magaro, seconded by Ms. Magaro, and was carried by a unanimous aye vote.

III. APPROVAL OF REPORTS

MOTION approving the following itemized reports:

1. Police Report - January 2020
2. Building Permit Report - February 2020

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

IV. PRESENTATIONS

The board heard a presentation from Mr. Jason Reichard with C.S. Davidson on the 2020 roadway improvements and the East Penn Drive pedestrian bridge.

Mr. Owen noted in 2017 the township received a \$900,000 multimodal grant from PennDOT, with a deadline to complete the project by June 21, 2021. Mr. Reichard reviewed their engineering proposal. A topographic survey to site the project and find the best location to install a pedestrian bridge needs to be done. Their proposal is set up to include whatever soil erosion and implementation measures are needed. One of the biggest challenges is an approach ramp to the bridge with a 16 1/2 foot clearance, plus the structure itself. Another challenge is the PennDOT highway permit. It is a State route, and the right-of-way is approximately 100 feet in width, so they have to secure a highway occupancy permit. There is a structural adequacy approval that is required as well. The bridge has to rest on some foundation, so they have services for geotechnical engineering to find out conditions on-site to support the proposed structure.

President Tyson suggested a tie over to the Oyster Mill bridge would be a nice tie-in with this bridge. Mr. Reichard noted when the grant was initially awarded, it was to a private firm with a 30-percent match. They are working with a grant consultant to have the match eliminated because they have now assigned the grant to a municipality. She is confident that that 30-percent match will be waived and that money will all go to the design and build, and also looking for additional moneys that could be tied in to this bridge, whether additional structures on the east side as well as connecting this to some of the trails and walkways that are envisioned being developed over time.

Mr. Reichard also presented the 2020 roadway improvement project. He noted they started working on a roadway management plan with the township back in 2017. In 2018 and 2019, they completed several projects that

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consisted of more preservation type treatments. The township has over 100 miles in roadway network. There is a budget in the range of \$400,000. Looking at the approach to the original plan, they will start focusing on the primary corridors in the township and the roads that will have the greatest impact to the general public, highest visibility and greatest need for preserving the roadways.

Two roads meeting this criteria are Poplar Church and Erford Roads. They conducted a field assessment of existing conditions and made a preliminary scope. They are suggesting a complete milling and overlay of Poplar Church Road from Center Street to the main intersection with Erford Road, and a short piece that goes up toward Grandview. There are several existing noncompliant handicap ramps. They can upgrade the pedestrian access to make it ADA accessible. The series of ramps are included in the scope. There are many driveway entrances that could be taken care of for ADA accessibility at a later date. They believe this could be fulfilled within the \$400,000 amount.

Mr. Reichard noted they are seeking a cooperative agreement with Wormleysburg Borough, as they share half of the road on Erford. They are asking the board to support their request for authorization to proceed with advertisement in order to have bids for tabulation and review sometime in April, with approval at a later date. Mr. Pietropaoli noted this is something that has to be outsourced. The township crew will still be doing base repair of some two-lane township roads.

MOTION to authorize the advertisement of the plans and specifications for the 2020 roadway improvement projects on Poplar Church Road and Erford Road for an April 13, 2020, bid opening, was made by Ms. Magaro, seconded by Mr. Fidler, and was carried by a unanimous aye vote.

V. BUSINESS FROM THE FLOOR

Mr. Darryl Roush, 708 Shaffer Street, addressed the board and Chief Green regarding two intersections with Valley Road, at North Enola Drive and at Salt Road, where motorists fly through stop signs. President Tyson thanked Mr. Roush for the information, which the Police Department will review.

Ms. Linda Guth, 240 North Enola Drive, who also owns property at 425 Kemper Alley, addressed the board regarding her request in January for making Kemper Alley one way, which was tabled for further investigation. She first approached the board in 2017 by submitting a letter and pictures. In 2018, she submitted a letter with a signed petition from everybody who was impacted with the alley. It came up again this past January, and there was a woman who said she spoke to over half the residents of the alley and they did not want it or did not know why it was being requested. Since she provided the original petition, she thought there might be several new residents, but every person who signed the original petition uses the alley or has backing against the alley, except for the apartments. She noted the woman who complained has lived in the apartments since 2017, and the apartments do not use the alley. The person who sent the email had signed the petition, and another person who said he did not know what was going to be done signed the petition as well, and he said he does not care one way or the other.

Ms. Guth noted coming out on Givler, if there are people parked at the end of Givler where the apartments are on Shady and Givler, it is one lane and a driver cannot see through there. They cannot see coming around there to go to Shady Lane, and when the students are getting out of school, it is horrible. Humer Street is wide open. She asked the board to consider making Kemper Alley one way.

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Elizabeth and Jack Sizemore, 1101 Country Club Road, addressed the board regarding the recent petition to install multiway stop signs on Cherish and Country Club Roads. The one on Country Club Road is in the middle of their front yard and they are in opposition. Mrs. Sizemore noted when residents came around for the petition, she was not home but her husband was, and they understand the premise of the petition is to slow people down. She noted there is a stop sign about 100 yards away that has clear sight down Country Club Road. Coming up she can see where they might not be able to see coming out of Cherish; however, Chief Green informed her that it would not make sense to put a stop sign there.

They object to the petition because it was done in the guise of slowing people down, and PennDOT's Technical Information Sheet no. 140 explains the regulations for stop signs, which are one of the most common traffic signs and also one of the most often misused; in particular, multi-way stop signs are commonly placed in an effort to control speed on streets. The regulation noted stop signs should be used where the volumes of traffic on intersecting roads are approximately equal. Mrs. Sizemore noted in this case they are not, as traffic coming out of Cherish is much lower than Country Club.

They requested to be apprised of the study as it is being conducted. While they agree people do need to slow down, PennDOT does not authorize using multi-way stop signs to slow people down. They believe it will create more problems.

Ms. Coyne stated the action that was taken by the board was just accepting the petition for the study. The township consulting engineer will also be looking at the PennDOT regulations cited, township staff will review the engineer's report with the Chief of Police, who then will give a recommendation to the board. The board then would have to advertise an ordinance to have the stop sign adopted, and there would be an opportunity at that point for comment and consideration.

VII. ITEMS FOR DISCUSSION AND APPROVAL

MOTION to table item no. 1 on the agenda was made by Mr. Skip Magaro and was carried by a unanimous aye vote.

MOTION to accept and approve the proposal for the design of a pedestrian bridge over East Penn Drive from C.S. Davidson, Inc., in an amount not to exceed \$157,200.00, the purpose of the bridge is to provide safe pedestrian crossing between east and west Adams-Ricci Community Park, was made by Mr. Skip Magaro, seconded by Mr. Gelb, and was carried by a unanimous aye vote.

MOTION to advertise the plans and specifications for the 2020 road improvement project including portions of Poplar and Erford Roads for an April 13, 2020, bid opening, was made by Ms. Magaro, seconded by Mr. Fidler, and was carried by a unanimous aye vote.

The board reviewed the land development plan for a dentist office and ambulance center on East Penn Drive north of the Aqueduct Car Wash. It was rezoned last year to allow for this use. There were a series of staff comments made a few months ago, which have mostly been met. The only thing outstanding were NPDES permit approval and a couple notes to be added to the plan. The developer stated they would agree to any outstanding conditions.

Mr. Quigley noted the most recent submission was submitted yesterday. He would like to see Mr. Hockenberry's comments before the board's consideration, or if approval is made conditional, he would suggest it be conditional as to satisfaction of all staff and engineering comments, as there may be one or two more outstanding items.

MOTION to conditionally approve Application 19-007 for land development of tax parcel 09-14-0835-0004, 400 and 402 East Penn Drive, Trask Family Properties, dependent upon adequately addressing outstanding staff and county comments, including providing financial

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security, and to the extent that staff and the engineer might have any additional comments, was made by Mr. Fidler, seconded by Ms. Magaro, and was carried by a unanimous aye vote.

Mr. John Melham, Melham Associates, presented the plan for 1590 Holtz Road subdivision. He noted several years ago a subdivision plan for the estate of Sidney Trump was brought before the board for 16 acres, which was divided equally. Lot 2 is now developed with a house. This plan is for Lot 1, which subdivides about two-thirds of an acre on Holtz Road, which will be purchased by Mr. Stone, the existing resident. This piece lies in Hampden Township and has been before Hampden Township and has their conditional approval. It went before the East Pennsboro Planning Commission, where there was a comment regarding slopes. The only place to site the house with relatively level ground, the Planning Commission asked that grading on some 25-percent slopes be shown; not the house itself, but the grading. The homeowners are requesting their basement to have an entrance coming out to grade. Mr. Melham asked if they could leave this as an item for the building permit, where the codes officers can go out and if they feel the disruption to those small amounts of 25-percent slopes is unacceptable, then his clients would be faced with putting in retaining walls, which they would consider doing, or abandoning their idea of an entrance coming out of their basement. The existing old Trump residence is being used as a garage. They have taken out plumbing and the well.

Mr. Quigley stated the township Zoning Officer provided clarifications on his concerns and he believes they have been rectified, or they are not concerns that prohibit the moving forward of this plan. They are filling in the old septic system.

MOTION to approve requested waiver of Land Development Section 22-506.E(5)F Curbs, and Section 22-507 Sidewalks for 1590 Holtz Road, was made by Ms. Magaro, seconded by Mr. Gelb, and was carried by a unanimous aye vote.

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MOTION to approve Application 19-006 for subdivision of tax parcel 09-11-3010-001, 1590 Holtz Road, was made by Ms. Magaro, seconded by Mr. Gelb, and was carried by a unanimous aye vote.

MOTION to approve the Site Development Plan for 1590 Holtz Road, was made by Ms. Magaro, seconded by Mr. Gelb, and was carried by a unanimous aye vote.

MOTION to accept the resignation of Abby Goddard from the Recreation Board, was made by Ms. Magaro, seconded by Mr. Gelb, and was carried by a unanimous aye vote.

MOTION to appoint Jill Mayberry, 218 W. Locust Street, to the Recreation Board to complete an open term expiring February 1, 2022, was made by Ms. Magaro, seconded by Mr. Skip Magaro, and was carried by a unanimous aye vote.

MOTION to approve the Adams-Ricci Park use request from Boy Scout Troop 98 and Cub Scout Troop 285 to hold their annual overnight campout May 16 and May 17, 2020, was made by Ms. Magaro, seconded by Mr. Skip Magaro, and was carried by a unanimous aye vote.

VII. OLD BUSINESS

Mr. Pietropaoli suggested the board consider advertising several traffic issues to save funds, including the one-way request on Kemper Alley again, which would need to be readvertised, the West Fairview parking ordinance for Second Street and a section of Abolition, if the board elects to move on at least doing the full engineering study, and advertisement of stop signs for Country Club and Cherish Roads in Floribunda. Advertising now would give a timeframe of April for the engineering study to be finished.

MOTION directing the Township Solicitor to create and advertise an ordinance making Second Street of West Fairview one way between the intersections of Clay and Abolition northbound and creating parking areas on the

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east side, making Kemper Alley one way, and stop signs to be installed at Country Club and Cherish Roads in Floribunda, was made by Mr. Skip Magaro, seconded by Ms. Magaro, and was carried by a unanimous aye vote.

VIII. NEW BUSINESS

Mr. Pietropaoli noted he will be scheduling interviews for the position of Township Engineer.

Mr. Pietropaoli reviewed with the board Senate Bill no. 607, local use of radar. The Township Association is asking the board to reach out to their State Senator and State Representatives with a letter supporting Senate Bill no. 607. President Tyson stated he would be in favor of that. Mr. Pietropaoli will reach out to local State legislators on behalf of the township.

Mr. Gelb discussed with Chief Green and Lieutenant Diehl an issue regarding the Fire Police a couple months ago where a sidewalk across from West Creek Hills at the corner of Stephen and Erford Roads was uneven and Mr. Doug Knepper fell. Mr. Erik Owen stated he was able to reach out to one of the property owners. One of the properties is a rental.

Mr. Quigley noted in addition to the normal process of enforcement, doing concrete and sidewalks in the wintertime is not a realistic expectation, so they have a slightly longer window because of weather concerns. Mr. Knepper indicated the incident happened August 30. Mr. Quigley stated the process was started immediately following the injury, but the enforcement process has its own timelines, and getting into unfavorable weather, even if the township were able to proceed further, there would be a stay at that point.

President Tyson commented regarding what has been going across the world regarding the coronavirus, the township has been following closely and he pointed out proactive measures being done at the township and thanked staff for the extra effort being made to clean elevator

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buttons, railings, anything anybody would be in contact with. The township has a liberal leave policy, and if anybody has flu-like symptoms, they are being asked to stay home. Mr. John Bruetsch, Cumberland County Public Information Officer, has shared much information from the CDC and the township is staying on top of the situation with the county and State. He noted the township Website will be updated as required with any new information.

Mr. Owen noted township staff had a meeting with Mr. Phil Beck, Chief of the Ambulance Association, who provided proactive measures that are being pushed out to first responders.

MOTION to adjourn the meeting at 7:57 p.m. was made by Ms. Magaro, seconded by Mr. Skip Magaro, and was carried by a unanimous aye vote.