

POTTER TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
September 10, 2018
124 Short Road, Spring Mills, Pennsylvania

ATTENDED BY:

BOARD: Dick Decker, Chair
Jake Tanis, Vice-Chair
Melvin Dutrow
Karl Eysenbach
Dennis Foust

STAFF: Lisa Kroner, Township Secretary/Treasurer
Budd Brooks, Road Superintendent
Robert Rayman, Solicitor

CALL TO ORDER:

Chair Decker called to order the September 10, 2018, Regular Meeting of the Potter Township Board of Supervisors at 7:00 PM, followed by the Pledge of Allegiance.

PUBLIC COMMENTS:

None

LIAISON REPORTS:

Penns Valley EMS - No report.

Penns Valley EMS Municipal Committee – The next meeting is scheduled for September 19th at 7:00 pm.

Zoning – The monthly Zoning Report for August 2018 was examined by the Board of Supervisors. No inquiries were made.

The minutes from the Zoning Hearing held on July 9, 2018 were reviewed. The Zoning Hearing Board approved the Jonathan Berzas request for a variance to the current Potter Township Code Chapter 220:37 Private Swimming Pool requirements.

Smith Sweetwood VFW submitted a request for a Conditional Use Hearing. The location is 2903 Penns Valley Pike, first floor. Mr. Tanis made a motion to acknowledge the request and approve for advertising to hold a hearing on October 8th. Second by Mr. Dutrow. **Vote in favor was unanimous. 5-0.**

Zoning Officer, Stan Wallace, discussed the status of the 2018 Sewage Management Program. There are three (3) property owners who have not submitted the SMP fee. Certified letters were sent property owners. Non-traffic citations will be filed with the District Magistrate, as required by Ordinance.

Chairman Decker recessed the regular meeting and opened the Public Hearing for Meredith Coopey and Barbara Coopey - Amendment of Zoning Map of the Potter Township Zoning Ordinance to expand the PCI District.

Solicitor Raymond conducted a *Findings of Fact*:

1. The applicants are Meredith Coopey and Barbara Coopey, who are also the owners of the property.
2. The property in question is Parcel No. 20-5-41, and is located in the agricultural district.
3. Applicants request that the areas identified on Exhibit "A" attached hereto be rezoned PCI Planned Commercial-Industrial District, hereinafter "PCI".
4. The property in question currently adjoins the PCI District.
5. Current uses include farming/agricultural uses.
6. No change in use is contemplated at this time.
7. The property abuts Wagner Road, which is a busy road, used to access businesses.
8. The property is subject to light spillage from existing commercial properties and noise from a racetrack and commercial establishments

Hearing no public comment, Chair Decker took action to close the Public Hearing.

Solicitor Raymond's Conclusions:

1. The parcel in question currently adjoins the PCI District.
2. The best use of the property is a use or uses permitted in the PCI District.
3. Contiguous properties currently contain business operations/commercial uses.

A roll call vote was taken:

Chairman Dick Decker	- Yes
Vice-Chair Jake Tanis	-Yes
Melvin Dutrow	-Yes
Karl Eysenbach	-Yes
Denny Foust	-Abstain

Mr. Tanis moved to approve the Amendment of Zoning Map of the Potter Township Zoning Ordinance to expand the PCI District. Mr. Eysenbach seconded the motion.

Planning Commission – Discussion continues with the draft of sign ordinance. Stan Wallace will provide comments at the time his review is completed. Mr. Tanis and Mr. Dutrow will meet with the Planning Commission by October 1st to discuss comments and draft ordinance.

Penns Valley Regional Planning Commission - Meeting is scheduled for September 17, 2018.

Tri-Municipal Park, Inc. – A Promissory Note and Loan Agreement, the principal sum of Fifty Thousand Dollars (\$50,000), or such lesser amount actually drawn on this Note, together with interest thereon, was presented for approval and signature. This Note is issued on a draw-down, non-revolving line of credit basis pursuant to requests made by TMP for the sole purpose of paying eligible costs of its Pennvest funded project on an interim basis.

Mr. Eysenbach made a motion to approve and sign the presented Promissory Note and Loan Agreement, as well as approval for Chairman Dick Decker to sign on behalf of Potter Township, any other documents required to close the Pennvest loan. Second by Mr. Foust. **Vote in favor was unanimous. 5-0.**

At 7:30 pm Chairman Decker closed the regular meeting to begin the public hearing on proposed Ordinance No. 5 of 2018, Regulation of the Transfer of Liquor Licenses into the Township. A brief summary of the proposed Ordinance was given. Public comments were recorded and questions answered. There being no further comments, Chairman Decker closed the hearing at 7:37pm.

The Regular meeting reopened at 7:38 pm. Mr. Foust made a motion to adopt Ordinance 18-05, Regulation of the Transfer of Liquor Licenses into the Township. Second by Mr. Dutrow. **Vote in favor was unanimous. 5-0.**

SOLICITOR REPORT:

Discussion continued on proposed Governance Agreement, as well as Fire Protection Agreement, with Centre Hall Fire Company. The Board was in concurrence that both Agreements are to be signed simultaneously. Mr. Foust made a motion to continue to retain the Fire Protection funds received until both Agreements are executed. Second by Mr. Dutrow. **Vote in favor was unanimous. 5-0.**

Chairman Decker recessed the regular meeting and opened the Public Hearing on proposed Ordinance No. 6 of 2018, Regulation of Public Fireworks Displays. A brief summary of the proposed Ordinance was given, as well as definition of “display fireworks” as defined in Pennsylvania Act 43 of 2017. There being no further comments, Chairman Decker closed the hearing at 7:51pm.

The Regular meeting reopened at 7:52 pm. Mr. Foust made a motion to adopt Ordinance 18-06, Regulation of Public Fireworks Displays. **Vote in favor was unanimous. 5-0.**

Discussion was held on Amusement Tax regulations. “One-armed bandits” are classified as slot machines, and as must be licensed by the State. Proof of such license should be provided to the Township. An amusement is a form of entertainment. One-armed bandits/slot machines would be classified as entertainment, so an amusement tax applies.

A request for reducing or waiving the Amusement Tax for the Coy Lutz Memorial Rodeo was assessed. The event generates money for the Coy Lutz Memorial Scholarship Fund. The Amusement Tax Ordinance does not allow exemption for non-profit organizations, therefore the request is denied.

SECRETARY/TREASURER REPORT:

Mr. Foust made a motion to approve the August 13, 2018 Regular Meeting Minutes as presented. Second by Mr. Eysenbach. **Vote in favor was unanimous. 5-0.**

Mr. Foust made a motion to approve the August 2018 Financial Report. Second by Mr. Eysenbach. **Vote in favor was unanimous. 5-0.**

Mr. Tanis made a motion to approve the Check Detail Report and invoices to be paid on September 10, 2018. Second by Mr. Eysenbach. **Vote in favor was unanimous. 5-0.**

The CCATO (Centre County Association of Township Officials) has announced the scholarship award recipients for 2018. The Association awarded \$8300 in scholarships to 22 applicants, and were able to award everyone who applied a scholarship. Three award winners were from Potter Township and include Rebecca Bierly, Abigail Henning, and David Keller. The Annual CCATO Fall Dinner Convention will be held on Monday, October 22nd.

The 2018 Ballot for Election of Trustees, from the PSATS Unemployment Compensation Group Trust, was read aloud. The ballot presented two candidates for election to the board positions, and a request to vote for two. Mr. Foust made a motion to vote for election of Shirl Barnhart and Lester Houck. Motion second by Mr. Tanis. **Vote in favor was unanimous. 5-0.**

Chairman Decker recessed the regular meeting and opened the Public Hearing on proposed Ordinance No. 7 of 2018, an Ordinance levying a Local Services Tax in the amount of \$52.00 per year upon the privilege of engaging in an occupation with the primary place of employment within the Township of Potter; requiring tax returns; requiring employers to withhold and remit the tax; and related provisions. Public comments included explanation of who is subject to the tax. The tax applies to persons working in Potter Township, and not where they reside.

There being no further comments, Chairman Decker closed the hearing at 8:10 pm. The Regular meeting reopened at 8:11 pm. Mr. Tanis made a motion to adopt Ordinance 18-07, levying a Local Services Tax. Second by Mr. Eysenbach. **Vote in favor was unanimous. 5-0.**

ROAD SUPERINTENDENT:

The weather has been delaying the Dirt & Gravel Project as well as the Oil & Chipping. As of earlier today, Red Mill Road from SR 322 to Geary Road was closed due to flooding. Fall Brush Collection is scheduled for October 2nd & 3rd, and Fall Riff Raff Collection is October 5th and 6th.

The railing installed along Colyer Lake walking trail has been secured by a middle railing and the signs are posted on railing.

Several quotes have been obtained for the chain link fencing at Potter Run Park. Mr. Dutrow made a motion to hire Russler Fence to install the fencing. Second by Mr. Tanis. **Vote in favor was unanimous. 5-0.**

Country Club Park flow report was distributed.

UNFINISHED BUSINESS:

A pre-bid event was held for the Potters Mills Central Sewer System. Bids will be opened at the October 1st Board of Supervisors meeting.

Chairman Decker presented a quote by Nittany Engineering for construction management of the Potters Mills Central Sewer System. The inspection of individual homes and other inspections, estimated at 20 hours per week, is quoted at a cost of \$76,000.00. Mr. Foust made a motion to approve services by Nittany Engineering to conduct the construction management. Second by Mr. Tanis. **Vote in favor was unanimous. 5-0.**

NEW BUSINESS:

Chairman Decker announced that an Executive Session was held at 6:00 pm today to discuss personnel issues.

Save Colyer Lake, Inc. President, Tom Kistler, has submitted a proposal to install a trail map at each end of the two boat launches; construct a picnic pavilion at the north boat launch off of Lingle Road; and place concrete/wood picnic tables inside the pavilion, and at the other locations. Road Superintendent, Budd Brooks, and Chairman Decker will compile a list of specifications for these projects and discuss with Mr. Kistler. This request for improvements falls under the terms of the Township's lease. Once the proposal has been reviewed and a determination made, the specifications will be forwarded to the Pennsylvania Fish and Boat Commission for their review and consideration.

Centre Hall Fire Company submitted a request for a \$500 monetary contribution towards purchasing educational materials for the elementary school students. Members of the fire company provide a fire safety presentation to students during Fire Prevention Safety Week in October. Mr. Foust made a motion to approve contributing \$500 towards the purchase of educational materials. Second by Mr. Dutrow. **Vote in favor was unanimous. 5-0.**

Staff Informatives included Centre Hall-Potter Sewer Authority meeting minutes, a thank you letter from Centre County Library for our financial support, and an invitation to Centre Foundation Annual Dinner.

ADJOURNMENT:

A budget meeting is scheduled for Monday, September 17, 2018 at 7:00 pm.

There being no further business to discuss, Mr. Foust made a motion to adjourn at 8:30 PM. Second by Mr. Tanis. **Vote in favor was unanimous. 5-0.**

Respectfully submitted,

Lisa A. Kroner
Township Secretary/Treasurer