

POTTER TOWNSHIP BOARD OF SUPERVISORS
MEETING MINUTES
September 14, 2020
124 Short Road, Spring Mills, Pennsylvania

ATTENDED BY:

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

STAFF: Lisa Kroner, Township Secretary/Treasurer
David Boliek, Public Works Superintendent
Robert Rayman, Solicitor

CALL TO ORDER:

Chair Decker called to order the September 14, 2020, Regular Meeting of the Potter Township Board of Supervisors at 7:00 PM, followed by the Pledge of Allegiance.

PUBLIC COMMENTS:

Resident Justin Lansberry discussed the monthly user fees for Potters Mills public sewer system as well as yard restoration for his home resulting from the public sewer project.

PUBLIC HEARING- 7:15 PM

At 7:20 pm, Chairman Decker recessed the regular meeting to begin the public hearing regarding amending Chapter 220 of the Code of Potter Township to add solar power facilities as a Conditional Use in the Planned Commercial-Industrial District (PCI) and Industrial District, and to change the definition of Essential Services. Solicitor Rayman offered a time for public comment. Mr. James Kerlin offered his appreciation to the Board for their diligence in reviewing the zoning ordinance and proposed amendments in regards to solar farms. Ann Glaser announced her support of the amendment.

Chairman Decker closed the public hearing and re-opened the regular meeting. No questions or discussion on the amendment Chapter 220 of the Code were put forth by the Board of Supervisors. Mr. Tanis made a motion to adopt O-2020-01 amending the Zoning Ordinance, Chapter 220 to add solar power facilities as a Conditional Use in the Planned Commercial-Industrial District (PCI) and Industrial District, and to change the definition of Essential Services. Second by Mr. Foust. **Vote in favor was unanimous. 4-0**

TOWNSHIP OF POTTER
Centre County, Pennsylvania

ORDINANCE NO. 1 OF 2020

**AN ORDINANCE AMENDING THE POTTER TOWNSHIP ZONING
ORDINANCE (CHAPTER 220 OF THE CODIFICATION OF ORDINANCES)**

WHEREAS, the Township desires to make changes to the Zoning Ordinance; and

WHEREAS, the Township desires to add that solar power facilities as a Conditional Use in the Planned Commercial-Industrial District (PCI) and Industrial District, and to change the definition of Essential Services.

NOW, THEREFORE, Be It Ordained:

1. Section 220-22C is amended to add the following as a Conditional Use:

Section 1.4 - Solar power facilities

2. Section 220-23C is amended to add the following as a Conditional Use:

Section 11 – Solar power facilities

3. Section 220-102 is amended to change the definition of Essential Services as follows:

ESSENTIAL SERVICES – Facilities for the distribution, but not the production, of utility services including gas, electric, steam, water, sewerage, telephone and similar services. Local distribution lines that provide retail essential services to individual retail customers that do not require any additional rights-of-way or property of their own are exempted.

4. Section 220-102 is amended to add the following definition:

SOLAR POWER FACILITY – A facility for the production and distribution of electricity involving the conversion of energy from sunlight into electricity.

CONSENT AGENDA

Mr. Tanis made a motion to approve the minutes of the August 17, 2020 meeting. Mr. Foust seconded the motion. Mr. Eysenbach made a motion to approve the August 2020 Financial Report. Mr. Foust seconded the motion. The Payment Vouchers & Check Detail Report were reviewed and Mr. Tanis made a motion to approve the reports. Motion seconded by Mr. Foust. **All motions for Consent Agenda items were carried unanimously.**

COMMITTEE REPORTS

- A. Planning Commission – Meeting minutes from August 4th were submitted and reviewed.
- B. Parks & Recreation Board – Fall season baseball schedule is completed.
- C. Tri-Municipal Park, Inc. – A total of 108 trees arriving soon & will be planted. The first disc golf tournament was held in early September. All 18 tees are in place. The 2021 budget will be submitted to Board of Supervisors for review at October meeting.
- D. Penns Valley EMS – September report distributed. EMS board requested a statement of support for the purchase of a 2019 Ford F-450 4x4 MXP gas powered ambulance. Cost would be \$185,519, less Ford Fleet GPC Discount of \$4800; less Trade-in of \$10,000; bottom line would be \$170,719. Mr. Tanis made a motion to support this new ambulance purchase. Motion seconded by Mr. Eysenbach. **Vote in favor was unanimous. 4-0.** The company anticipates borrowing \$130,000 to keep the payment amount approximately \$1700/mo.

STAFF REPORTS:

Solicitor - Earlstown Solar, LLC has filed an appeal from the Conditional Use decision of the Potter Township Board of Supervisors with the Centre County Court of Common Pleas.

The board discussed a permanent resolution establishing a temporary 30-day township-wide ban based on the opinion and in the discretion of the Fire Chief on any and all open burning, to include burn barrels and any other type of outdoor burning. Solicitor Rayman will prepare a draft resolution for review at the October 19th meeting

Public Works Superintendent –A quote for \$3,941.00 was received from Zook’s Construction for construction of a carport to store the salt spreader. Mr. Foust offered a motion to accept the quote for construction of a new carport. Motion seconded by Mr. Eysenbach. **Vote in favor was unanimous. 4-0**

Discussion on new Mower- Recommended mid-mounted boom mower. Looking into buying or leasing options.

Secretary/Treasurer – Request for purchase of a computer for the Administration office to be used by the new Administrative Secretarial and Zoning Assistant. Mr. Eysenbach will manage purchase of the hardware and software. **Vote in favor was unanimous. 4-0**

A request was presented by Lisa Kroner, Treasurer, for the transfer of \$10,000.00 from General Fund to Potters Mills Sewer Fund for Bloom Road public sewer engineering expenses. The loan from the General Account to Potters Mills Sewer Fund will be repaid with Pennvest loan and grant monies. Mr. Decker offered a motion to transfer \$10,000.00 from the General Fund to the Potters Mills Sewer Fund to cover engineering costs for Bloom Road public sewer construction. Motion seconded by Mr. Tanis. **Vote in favor was unanimous. 4-0**

Zoning Officer - Zoning permit reports for July and August 2020 were distributed and reviewed.

UNFINISHED BUSINESS:

Virtual training on the Municipality 5 zoning software begins this week. On-site support scheduled for the last week of October, with go-live the beginning of November.

Bloom Road Small-Flow Treatment facility project update - Awaiting placement of electric pole and electric connection. Meeting with Don Franson to discuss stormwater draining. Bloom Road sewer treatment plant has been placed.

NEW BUSINESS:

Chairman Decker announced an Executive Session was held at 6:00 pm this evening to discuss personnel matters.

Per the Potter Township Parkland Dedication Ordinance, the municipality may choose to accept Fee in lieu of Parkland Dedication for each new lot created. The proposed minor subdivision for Scott & MaryAnn Bubb consists of a total of two (2) new lots. Mr. Foust moved to approve acceptance of Fees In-Lieu-Of Parkland Dedication in the amount of \$1,250.00 per lot for each of the two lots, totaling \$2,500.00. Mr. Eysenbach seconded the motion. **Vote in favor was unanimous. 4-0.**

Road Name Determination for Scott and MaryAnn Bubb Subdivision is requested for the plan. Mr. Eysenbach made a motion to approve the name Kohler View Road as requested by Scott & MaryAnn Bubb. Seconded by Mr. Tanis. **Vote in favor was unanimous. 4-0.**

The 3-Lot subdivision plan for Scott A. Strouse, Tax Parcel 20-5-03 has been reviewed. Zoning Officer, Stan Wallace, had no comments on the plans. The Potter Township Planning Commission offered no comments. Municipal Response Request will be submitted to the Centre County Planning Office with no comments.

Per the Potter Township Parkland Dedication Ordinance, the municipality may choose to accept Fee in lieu of park land for each new lot created. The proposed 3-Lot subdivision for Scott A. Strouse consists of a total of two (2) new lots. Mr. Foust moved to approve acceptance of Fees In-Lieu-Of Parkland Dedication in the amount of \$1,250.00 per lot for each of the two lots, totaling \$2,500.00. Mr. Eysenbach seconded the motion. **Vote in favor was unanimous. 4-0.**

The Cares Act County Relief Block Grant Fund Recipient Agreement was presented and discussed. The Centre County Board of Commissioners has allocated \$40,436.00 to Potter Township for expenditures related to COVID-19 and determined to be eligible under the terms of the CARES Act and as required by the U.S. Treasury Department and DCED. Mr. Foust offered a motion to enter into CARES Act County Relief Block Grant Fund Recipient Agreement with Centre County. Motion seconded by Mr. Tanis. **Vote in favor was unanimous. 4-0.**

The current healthcare plan policy renewal quote, as well as other carrier quotes, were reviewed and discussed. Mr. Foust made a motion to renew the current healthcare plan for the employees, and increase the employee contribution to \$65.00 per month for employees and 40% of monthly premium for dependents. Second by Mr. Eysenbach. **Motion carried 3-0. Mr. Decker abstained from voting.**

Centre Hall Fire Company submitted a request for a \$500.00 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 \$500.00 towards the purchase of educational materials. Second by Mr. Tanis. **Vote in favor was unanimous. 4-0.**

Mr. Tanis led discussion on equipment with steel wheels running on the roads and causing damage. Mr. Tanis and Mr. Foust will speak to the Amish community.

The Environmental Laboratory Accreditation Act of 2002 requires that all environmental laboratories that perform testing or analysis of environmental samples required by an environmental statute register with DEP (Dept of Environmental Protection). Mr. Foust made a motion to submit the application and \$50.00 fee to fulfill the requirement to register as an environmental lab. Motion seconded by Mr. Eysenbach. **Vote in favor was unanimous. 4-0.**

PA Rural Water Association is offering Certification Training Programs beginning in December 2020. No registration fee is required. Mr. Foust made a motion to register Fred Walter for Wastewater Operator Certification Training and David Decker for Water Operator Certification Training. Motion seconded by Mr. Eysenbach. **Vote in favor was unanimous. 3-0. Mr. Decker abstained from voting.**

ADJOURNMENT:

Mr. Tanis made a motion to adjourn the regular meeting at 8:35 p.m. Motion seconded by Mr. Foust. **Vote in favor was unanimous.**

Respectfully submitted,

Lisa A. Kroner
Township Secretary/Treasurer