

POTTER TOWNSHIP BOARD OF SUPERVISORS
MEETING MINUTES
September 7, 2021
124 Short Road, Spring Mills, Pennsylvania

ATTENDED BY:

BOARD: Dick Decker, Chair
Karl Eysenbach
Melvin Dutrow

STAFF: Lisa Kroner, Township Secretary/Treasurer
David Boliek, Road Superintendent

CALL TO ORDER:

Chair Decker called to order the September 7, 2021, Regular Meeting of the Potter Township Board of Supervisors at 7:00 PM, followed by the Pledge of Allegiance.

PUBLIC COMMENT

David Bierlein offered a list of vehicles and junk that have been removed from his property located at 124 Old Fort Road in accordance with the Junk and Rubbish Ordinance.

SPECIAL PRESENTATION

Fred Henry, Henry Surveying, presented minor subdivision plans for the Ethel Long Estate. This plan subdivides a 91.36 acre lot from tax parcel 20-005-054 into two lots. After review of the plans Mr. Eysenbach made a motion to approve and sign the Component I Planning Module. Motion seconded by Mr. Dutrow. The Board discussed the proposal in terms of proposed parkland dedication or fees in-lieu-of, or a combination thereof, per the Parkland Dedication Ordinance for the Ethel Long Estate subdivision. Mr. Eysenbach made a motion to accept Fee In-Lieu-Of Parkland Dedication for the one (1) new lot being created. Motion seconded by Mr. Dutrow. A vote was taken to accept one (1) fee In-Lieu-of Parkland Dedication for this subdivision. **Vote in favor was unanimous 3-0.**

Vote:	Dick Decker	Yes
	Melvin Dutrow	Yes
	Karl Eysenbach	Yes

The final subdivision plan for Mary Boutselis and Jeffrey Jackson was presented by Chad Stafford, Penn Terra Engineering, for review.

PUBLIC HEARING

At 7:30 pm, Chairman Decker recessed the regular meeting to begin the public hearing regarding **Ordinance O-2021-05**, an ordinance prohibiting the use of Short Road and Red Mill Road by trucks over 30 feet in length except local deliveries, providing for the erection of signs and establishing penalties for violation thereof.

Mr. Decker offered a time for public comment. No comments were offered. Chairman Decker closed the public hearing and re-opened the regular meeting. The Board members had no questions or discussion on the proposed ordinance. Mr. Dutrow made a motion to adopt Ordinance O-2021-05. Second by Mr. Eysenbach.

Vote 3-0 as follows:

Vote:	Dick Decker	Yes
	Karl Eysenbach	Yes
	Melvin Dutrow	Yes

AN ORDINANCE PROHIBITING THE USE OF SHORT ROAD AND RED MILL ROAD BY TRUCKS OVER 30 FEET IN LENGTH EXCEPT LOCAL DELIVERIES, PROVIDING FOR THE ERECTION OF SIGNS AND ESTABLISHING PENALTIES FOR VIOLATION THEREOF.

Background

The Township of Potter, hereinafter referred to as "Potter" is a Local Authority under the Pennsylvania Vehicle Code (Act of June 17, 1976, P.L. 162, No. 81), as amended (75 Pa.C.S.A. §101 et seq.), having certain roads or highways under its jurisdiction;

The Township has complied with all applicable pre-requisites and/or requirements, including the applicable engineering and traffic studies under the law with regard to the prohibition of truck traffic and the installation of traffic devices;

McCormick Taylor has conducted and completed an Engineering and Traffic Study for Restrictions As To Size (PennDOT Form TE-109) for Short Road and Red Mill Road (T-514), dated July 29, 2021, and approved by PennDOT;

The conclusions stated in the TE-109 provide for the restriction of truck traffic on the studied roadway;

The Board of Supervisors of Potter Township has determined that the restrictions on truck traffic on the aforementioned roadways will be in the best interests of the Township and its residents.

NOW THEREFORE, BE IT ENACTED AND ORDAINED and it is hereby enacted and ordained by the Board of Supervisors of Potter Township, Centre County, Pennsylvania as follows:

SECTION 1: PREAMBLE AND POLICY

The Background is incorporated herein by reference.

SECTION 2: DEFINITION AND INTERPRETATION

Words and phrases used in this ordinance shall have the meanings ascribed to them in the Pennsylvania Vehicle Code (Act of June 17, 1976, P.L. 162, No. 81), as amended, except that in this ordinance the word "road" may be used interchangeably with the word "highway" and shall have the same meaning as the word "highway" as defined in the Vehicle Code.

SECTION 3: TRUCK TRAFFIC RESTRICTIONS ON SHORT ROAD AND RED MILL ROAD AND PENALTIES FOR VIOLATION THEREOF

(a) It shall be unlawful for any person to drive a vehicle longer than thirty (30') feet in length on Short Road and Red Mill Road between the Potter Township municipal boundary to the south and State Route 0850 to the north; provided however, that nothing in this section shall prohibit any person from driving an exempt vehicle or a vehicle operating in a capacity to be considered local traffic as noted in Title 67-§193.2

(b) Appropriate signs shall be posted at the entrance to said roads indicating the prohibition of use by vehicles over thirty (30') feet in length.

(c) Any person who violates any provision of this Section shall, upon conviction before a district justice, be sentenced to pay of fine of Seventy-Five and 00/100 (\$75.00) Dollars in accordance with Title 75-§4902(g).

SECTION 4: SEVERABILITY

The provisions of this Ordinance shall be severable, and if any of its provisions shall be held to be unconstitutional, illegal or otherwise invalid, that decision shall not affect this validity of any of the remaining provisions of this Ordinance. It is declared to be the legislative intention that this Ordinance would have been enacted had the unconstitutional, illegal or otherwise invalid provisions not been included in the Ordinance.

SECTION 5: CONTINUATION OF EXISTING REGULATIONS

The provisions of this Ordinance insofar as they are the same as those of ordinances and regulations in force immediately before the enactment of this Ordinance are intended as a continuation of those earlier ordinances and regulations. Nothing in this Ordinance shall affect any act done or any suit or prosecution pending or to be instituted under any earlier ordinances or regulations repealed or superseded hereby.

SECTION 6: REPEAL OF CERTAIN PRIOR ORDINANCES

All prior ordinances of this Township insofar as they deal with the precise subject matter of this Ordinance are repealed and declared to be unenforceable insofar as they are inconsistent with any provisions of this Ordinance.

SECTION 7: EFFECTIVE DATE

This Ordinance shall take effect upon signing.

CONSENT AGENDA

Mr. Dutrow made a motion to approve the minutes of the August 16, 2021 Regular Meeting. Motion seconded by Mr. Eysenbach. **All motions for Consent Agenda items were carried unanimously.**

COMMITTEE REPORTS

- A. Planning Commission
 - Meeting minutes from July 27, 2021 meeting were distributed.
- B. Tri-Municipal Park
 - The Board is discussing parking issues

STAFF REPORTS:

Public Works Superintendent –

The Board of Supervisors discussed moving forward with the replacement of the bridge on Lower Georges Valley Road. Mr Dutrow made a motion to move forward with the replacement of the bridge by committing 20% of the project cost of \$2,000,000.00. The Township commitment is \$400,000.00. Mr. Eysenbach seconded the motion. **Vote in favor was unanimous.**

Secretary / Treasurer –

A recognition ceremony for Lance & Ellen Shaner is being planned for October at Potter Athletic Complex. The park signage is being delivered this week.

An anonymous donor has provided tree peonies to be donated in various areas throughout the township.

OLD BUSINESS

PADEP waived the normal 15 days notification requirement prior to commencing work on the Colyer Lake Trail footbridge construction. Work will begin with the construction of the Bypass Channel footbridge #02 (middle footbridge).

NEW BUSINESS

PennDOT District 2's Highway Safety Unit performed a safety review and has recommended to install some low cost safety improvements along Mountain Back Road (T-610) and Red Mill Road (T-518). After discussion on the recommended safety improvements Mr. Eysenbach made a motion to pursue installation of the recommended safety improvements. Motion was seconded by Mr. Dutrow. Vote in favor 3-0.

The current healthcare plan policy renewal quote as well as other carrier quotes were reviewed and discussed. Mr. Eysenbach made a motion to enroll in the Geisinger Health Plan GFA Premier \$500 PPO plan for the full-time employees. Second by Mr. Dutrow. Mr. Tanis joined the meeting via cellphone. **Motion carried 3-0.**
Mr. Decker recused himself from voting.

Notification has been received regarding the streambank along Venerick Hollow Lane (private road) eroding over time and needs to be reinforced. The needed plans and permit application with have been filed with DCNR by the property owner. No action is required by Potter Township.

The Penns Valley EMS meeting is September 8, 2021. Due to the absence of Mr. Foust at this meeting, Mr. Eysenbach offered a motion to appoint Mr. Decker as the representative, to attend said meeting, along with voting rights. Motion seconded by Mr. Dutrow. **Vote in favor was unanimous. 3-0**

BOARD / STAFF OTHER MATTERS (Informational – Review and/or Action, as Needed)

– None

ADJOURNMENT:

Mr. Decker made a motion to recess the meeting at 8:40 p.m. to begin an Executive Session regarding legal matters. Mr. Eysenbach seconded the motion. **Vote in favor was unanimous.**

Mr. Decker made the motion to close the Executive Session and reopen the regular meeting. No decisions were to be made as a result of the Executive Session.

Mr. Eysenbach made a motion to adjourn the regular meeting at 9:00 p.m. Motion seconded by Mr. Dutrow. **Vote in favor was unanimous.**

Respectfully submitted,

Lisa A. Kroner

Lisa A. Kroner, Township Secretary
Potter Township Board of Supervisors