

POTTER TOWNSHIP BOARD OF SUPERVISORS
MEETING MINUTES
October 17, 2022
124 Short Road, Spring Mills, Pennsylvania

ATTENDED BY:

BOARD: Dick Decker, Chair
Jacob Tanis, III, Vice-Chair
Melvin Dutrow
Dennis Foust
Glenn Roth

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

ATTENDEES: Lisa Moir, Michael Troyan, Michele Foust, Kim Domin and Georgie Bennett

CALL TO ORDER:

Chair Decker called to order the October 17, 2022, Regular Meeting of the Potter Township Board of Supervisors at 7:00 PM, followed by the Pledge of Allegiance.

PUBLIC COMMENT

Georgie Bennett requested information on how to prohibit use of jake brakes on SR 322.

CONSENT AGENDA

Mr. Foust made a motion to approve the minutes of the October 3, 2022, Regular Meeting, payment vouchers and the Financial Reports of September 2022. Mr. Dutrow seconded the motion. **All motions for Consent Agenda items were carried unanimously.**

COMMITTEE REPORTS

- A. Planning Commission
 - Discussing due dates and guidelines for subdivision plan submissions. No follow-up on the cost for new projector in the conference room.
- B. Parks and Recreation Board
 - Board is discussing moving the 2023 meetings to the second Monday of each month. A kids crafting event is being planned for December 10th.
- C. Penns Valley EMS - No meeting due to lack of quorum.

SOLICITOR REPORT

Act 57 of 2022 allows taxpayers who fail to receive a tax notice during their first year of occupancy to apply for a waiver from penalties and additional costs from the tax collector. Act 57 applies to tax notices sent beginning in 2023.

Mr. Tanis made the motion to adopt Resolution R-2022-10. Motion seconded by Mr. Foust. Vote in favor was unanimous. 5-0.

**RESOLUTION # 10 OF THE POTTER TOWNSHIP BOARD OF SUPERVISORS
TO IMPLEMENT ACT 57 OF 2022
PROPERTY TAX PENALTY WAIVER PROVISIONS**

WHEREAS, Act 57 of 2022, amending the Local Tax Collection Law, was signed by Governor Wolf on July 11, 2022, and takes effect on October 10, 2022; and

WHEREAS, Act 57 requires taxing districts that impose taxes on the assessed value of real property to adopt a resolution or ordinance within 90 days of the effective date of the act, or not later than January 9, 2023, directing the tax collector to waive additional charges for real estate taxes in certain situations; and

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector of Potter Township comply with the provisions of Act 57 and this resolution for tax years beginning on or after January 1, 2023.

1.01 DEFINITIONS

The following words and phrases shall have the meanings given to them within this resolution unless the context clearly indicates otherwise:

Additional charge: Any interest, fee, penalty, or charge accruing to and in excess of the face amount of the real estate tax as provided in the real estate tax notice.

Qualifying event:

1. For the purposes of real property, the date of transfer of ownership.
2. For manufactured or mobile homes, the date of transfer of ownership or the date a lease agreement commences for the original location or relocation of a manufactured or mobile home on a parcel of land not owned by the owner of a manufactured or mobile home. The term does not include the renewal of a lease for the same location.

Tax Collector: The elected tax collector for Potter Township, Centre County, any authorized or designated delinquent tax collector, the Centre County Tax Claim Bureau, or any alternative collector of taxes as provided for in the act of July 7, 1947 (P.L. 1368, No. 542), known as the "Real Estate Tax Sale Law", an employee, agent or assignee authorized to collect the tax, a purchaser of claim for the tax or any other person authorized by law or contract to secure collection of, or take any action at law or in equity against the person or property of the taxpayer for the real estate tax or amounts, liens or claims derived from the real estate tax.

1.02 WAIVER

The Tax Collector shall, for tax years beginning on and after January 1, 2023, grant a request to waive additional charges for real estate taxes if the taxpayer does all of the following:

- A. Provides a waiver request of additional charges, on a form provided by the Pennsylvania Department of Community and Economic Development, to the Tax Collector in possession of the claim within twelve (12) months of a qualifying event;

- B. Attests that a tax notice was not received; and
- C. Provides the Tax Collector in possession of the claim with one of the following:
 - 1. A copy of the deed showing the date of real property transfer; or
 - 2. A copy of the title following the acquisition of a mobile or manufactured home subject to taxation as real estate showing the date of issuance or a copy of an executed lease agreement between the owner of a mobile or manufactured home and the owner of a parcel of land on which the mobile or manufactured home will be situated showing the date the lease commences; and
- D. Pays the face value amount of the tax notice for the real estate tax with the waiver request.

STAFF REPORTS

Public Works Superintendent –

- Crack sealing project continues.

Secretary / Treasurer –

- The Liquid Fuels Tax Fund Audit for January 1, 2020 to December 31, 2021 was presented to the Board.
- Caleb Vinnedge has completed his Eagle Scout project at Colyer Lake. The bench kiosk will display notices and other information regarding the lake that are posted by the PA Fish and Boat Commission
- U.S. Board on Geographic Names has approved the proposal to apply the new name Sleepy Creek to a previously unnamed stream in Potter Township. The name has been added to the Geographic Names Information System, the nation's official geographic names repository, available at <https://edits.nationalmap.gov/apps/gaz-domestic/public/search/names>. The decision reads as follows: Sleepy Creek: stream; 0.8 miles long; in Potter Township; heads at 40°46'55"N, 77°41'45"W, flows from the NE end of Tussey Mountain generally NNW into a sinkhole 1.1 miles SE of Tusseyville at 40°47'30"N, 77°41'57"W; the name reflects the small size of the stream; Centre County, Pennsylvania; USGS map - Centre Hall.

Terry Melton thanked the Board of Supervisors for their support of the request to apply the new name Sleepy Creek to an unnamed stream.

OLD BUSINESS

Discussion on the proposed Route 45 connecting road was discussed and several residents from Hidden Lakes voiced their concerns. Mr. Foust offered a motion to submit a letter to PennDOT District 2 supporting the alignment that creates the least impact to our citizens properties by keeping the footprint as limited as possible while providing safe traffic flow. Motion seconded by Mr. Dutrow. Vote in favor was unanimous.

Lisa Moir, representing "Say No to the Route 45 proposed Connecting Road" movement presented the Board of Supervisors with a thank you letter for submitting a letter of support in opposition to the Route 45 proposed connecting road.

