

POTTER TOWNSHIP BOARD OF SUPERVISORS

MEETING MINUTES

September 3, 2024

124 Short Road, Spring Mills, Pennsylvania

ATTENDED BY:

BOARD:

Glenn Roth, Chair
Ryan Newman, Vice-Chair
Scott Floray
Dick Decker

STAFF:

David Boliek, Public Works Superintendent
Lisa Kroner, Secretary/Treasurer
Sue Mazza, Data Entry Clerk
John Bee, Solicitor
Hannah Dillard, Solicitor

ATTENDEES: Josiah Jones, Scott Burk, Lucas Parkes, Mark Torretti, Christine Moyer, Doug Morrison, Sarah Muir, Amy Lake, David Coopey

CALL TO ORDER

Chair Roth called to order the Tuesday, September 3, 2024, Business Meeting of the Potter Township Board of Supervisors at 7:00 PM, followed by the Pledge of Allegiance.

PUBLIC COMMENT

Christine Moyer discussed challenges with PennDOT regarding the Lower Georges Valley Road Bridge project. Drilling commenced last week in the area and as a property owner she was not notified. She voiced concerns about the guiderail and how it is blocking access to the back of her property. Mr. Boliek reassured her that the guiderail is being redesigned and it will not be blocking her right-of-way. The engineers will be reviewing the culvert design as well.

Josiah Jones, Chief Operating Officer from Happy Valley Adventure Bureau, gave a presentation on the Route 45 Agricultural and Heritage Scenic Byway. The HVAB is considering applying for USDA grant funding to undertake the work needed to designate Route 45 in Centre County as an Agricultural Heritage Corridor through the PA Byways program. There are many benefits that go along with such a designation. If successful, the Rural Business Development grant will fund the work necessary to apply to the state for the designation. This includes completion of the required Corridor Management Plan. One requirement of the grant is that municipalities within the corridor must add to their sign ordinance a clause stating there will not be additional billboards built along this highway. The existing billboards would be grandfathered in. This ordinance will only pertain to billboards not any other signs. Mr. Roth would like to table the decision until the Sept 16, 2024 to give all Board members a chance to review the information.

Doug Morrison requested information about the State College Area Connector project. Mr. Roth gave an update on the township's selection of a route.

PUBLIC HEARING

Solicitor Bee recessed the regular meeting into a Public Hearing to discuss Ordinance No. 2024-3, an Ordinance to Amend and Restate Chapter 220 – Zoning, Article IX – Administration and Enforcement, Section 220-100. The Ordinance has been advertised in the Centre Daily Times and on the Township website. Solicitor Bee asked if there was any public or Board comment and there was none. The Public Hearing was closed and moved back to the regular meeting. Mr. Newman motioned to adopt Ordinance No. 2024-03, seconded by Mr. Floray. All motions for the ordinance were carried unanimously. **Vote in favor was unanimous. 4-0**

Solicitor Bee then recessed the regular meeting into a Public Hearing meeting to discuss Ordinance No. 2024-04 to Rezone 26.5 acres of Centre County tax parcel 20-008-005H from Prime Agricultural to Planned Commercial Industrial. Mr. Toretti, from Penn Terra Engineering, conferred the Zoning Map Amendment request and shared a zoning map exhibiting the location for rezoning. The areas surrounding this property are zoned Commercial and zoning this parcel Commercial would be of better use. Solicitor Bee asked if there were any comments from the Board or public and no comments were offered. The Public Hearing was closed and moved back to the regular meeting. Mr. Newman motioned to adopt Ordinance No. 2024-04, seconded by Mr. Floray. All motions for the ordinance were carried unanimously. **Vote in favor was unanimous. 4-0**

CONSENT AGENDA

Mr. Floray motioned to approve the minutes of the August 5, 2024 Board of Supervisors Meeting and payment vouchers. Mr. Newman seconded the motion. All motions for Consent Agenda items were carried unanimously.

COMMITTEE REPORTS

- A. Planning Commission
 - No report.
- B. Parks & Recreation Board
 - No report
- C. Penns Prairie Park
 - No report
- D. Wellhead Protection Committee
 - Mark Ralston gave a presentation at the Wellhead Protection meeting.

SOLICITOR REPORT

Solicitor Bee tabled discussion of the final revised employee handbook until the September 16, 2024 meeting.

Solicitor Bee announced that on August 26, 2024, Shelby & Alison Luse requested that the rezoning of their property, Tax Parcel 20-008-002A, located at 1901 General Potter Highway, Potter Township, Centre County, PA be withdrawn from consideration.

A Conflicts Counsel is needed in the event there is a conflict of interest between the Solicitor and a potential project. Two separate law firms were contacted regarding interest in serving in this capacity. Mr. Roth communicated with these firms and requested a fee schedule and availability for evening meetings. An update and further discussion will take place at the September 16, 2024 meeting.

Solicitor Bee spoke with Aaron Brooks with respect to a distillery and tasting room zoning issue. Further discussion is tabled until the September 16, 2024 meeting.

A memo to Penns Valley Code Enforcement Agency with respect to short-term rental issues is being prepared.

Discussions with Attorney Joe Green about obtaining the signatures of the property owners on Treaster Kettle Road continues.

Over the past year, the Office of Open Records (OOR) has received numerous inquiries about anonymous requests. The OOR recommends that agencies review their internal policies regarding the acceptance of anonymous RTKL requests. If an agency has decided to not accept anonymous requests, they should develop a policy explaining how it will respond to anonymous requesters and also to post that policy in a conspicuous place on the agency's webpage. An anonymous requester must provide their legal name to file an appeal with the OOR. In response to the OOR recommendations, Mr. Floray made a motion to request the Solicitor to update the policy with the appropriate language and create a resolution for adoption at the September 16, 2024 meeting. Motion was seconded by Mr. Decker. Vote in favor was unanimous. 4-0.

Solicitors Bee and Dillard departed from the meeting at this point.

STAFF REPORTS

Public Works Superintendent –

- Mr. Roth, Mr. Newman and Mr. Boliek reviewed the backhoe quote for purchase. The Case salesman is updating the quote to include a tamper, thumb and forks for the backhoe. Mr. Neman motioned to move forward on reserving the backhoe. Mr. Floray seconded. **Vote in favor was unanimous. 4-0.**
- The conveyor will ship next week.
- The 2012 International truck repair will cost \$12,000.00. Mr. Roth requested quote to be obtained to trade-in the truck.
- Lake Road Bridge replacement should be completed by the end of the week.
- Mr. Boliek is working with the Solicitors and JSSB on the loan. Once the approval is returned from DCED the closing can be scheduled.
- A section of the curb on Decker Road is washing out. Mr. Boliek suggested a paving solution for curb repair rather than filling with gravel. Mr. Roth has concerns about farm equipment running over the curb and causing damage. He suggested to work with the engineers for a solution. There was no decision made on Decker Road.

Secretary/Treasurer –

- Ms. Kroner presented the stamped original JSSB bank statements for each of the bank accounts to the Board. She requested that the Board initial each bank statement as proof that they were reviewed as part of a checks and balances system. The Board was in agreement with this procedure.

OLD BUSINESS

A template for an Intermunicipal Agreement for sharing equipment and services with Spring Township was presented by Mr. Boliek. The Board reviewed the template and agreed to tailor for Potter Township. The revisions will be presented at the September 16, 2024 meeting.

PennDOT Multimodal Transportation Fund (MTF) Grant application period will open in late September. Grants are \$100,000.00 to \$3,000,000.00 with a 30% sponsor match. Mr. Boliek stated that Decker Valley Road and Treaster Kettle Road are both good candidates to apply. Mr. Roth and Mr. Newman do not think they will use this grant at this time. Mr. Decker would like to begin applying for more grants.

The estimate from G & R Excavating & Demolition, Inc. for the demolition of the water well house at Country Club Park and subsequent planting of grass is \$6,346.00. Mr. Newman motioned to move forward with the demolition project. Mr. Floray seconded. **Vote in favor was unanimous. 4-0.**

Sarah Muir, from The EADS Group, demonstrated what the GIS tracking system will do for the Township. They will provide a baseline that the Public Works Department can add pictures and information as they go. The cost estimate is \$1,000.00 per year with the service plus the user fees. The Board would like to get Centre Hall Borough and Centre Hall-Potter Sewer Authority on board as well. Mr. Decker made a motion to move forward with The EADS Group to set up the GIS program. Mr. Floray seconded. All motions carried unanimously. **Vote in favor was unanimous. 4-0.**

Lucas Parkes, from The EADS Group, presented his 5-year road work spreadsheet to the Board, which included the projected schedule and priorities. Mr. Roth would like Mr. Parkes and Mr. Boliek to work together to finalize road work decisions and present it at the next meeting. Mr. Boliek stated this is time sensitive and there is a lot of work needed to apply for grants.

NEW BUSINESS

Announcement of Executive Session – Mr. Roth announced that an Executive Session was held on Monday, August 26, 2024 discuss personnel matters and the purchase expenditure of a backhoe.

Mr. Decker composed a letter to be sent to PennDOT stating that the Board totally supports the central alignment for the State College Area Connector project because it minimizes impact to productive farmlands, avoids our wetlands and limits historical impacts. It also has the lowest residential displacement and avoids impacting the important Stone Mountain Bird Area. Mr. Decker made a motion to approve the letter to be sent to PennDOT Mr. Floray seconded the motion. **Vote in favor was unanimous. 4-0**

A discussion on Transient Short-term Rentals was tabled until the September 16, 2024 meeting.

Decker Valley Road has pine trees that need to be cut. An estimate in the amount of \$5,000.00 was submitted by Ben Haupt Tree Trimming. The Board approved the estimate for tree trimming for Decker Valley Road in the amount of \$5,000.00.

BOARD / STAFF OTHER MATTERS

- Centre County Recycling & Refuse Fall Newsletter

ADJOURNMENT:

Mr. Newman made a motion to adjourn the Business Meeting at 8:57 p.m. Motion seconded by Mr. Decker. **Vote in favor was unanimous.**

Respectfully submitted,

Lisa A. Kroner

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