

POTTER TOWNSHIP BOARD OF SUPERVISORS
MEETING MINUTES
November 6, 2024
124 Short Road, Spring Mills, Pennsylvania

ATTENDED BY:

BOARD: Glenn Roth, Chair
Ryan Newman, Vice-Chair
Dick Decker
Jacob Tanis, III

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

CALL TO ORDER

Chair Roth called to order the Wednesday, November 6, 2024, Business Meeting of the Potter Township Board of Supervisors at 7:00 PM, followed by the Pledge of Allegiance.

PUBLIC COMMENT

ANDREW K. DUTROW – FINAL SUBDIVISION PLAN - Jen Albright, Albright Land Surveying, LLC presented the subdivision plans for Mr. Dutrow. The property is located along Manor Road and the intention is to subdivide a .860 acre plot into .372 acres and .488 acres for the proposed use of single-family residential. The Planning Commission has reviewed the plan and did not provide comments. No comments were offered by the Board of Supervisors for submission of the Municipal Response Request.

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 Andrew K. Dutrow subdivision. Mr. Decker made a motion to accept Fee In-Lieu-Of Parkland Dedication for the one (1) new lot being created. Motion seconded by Mr. Tanis. A vote was taken to accept one (1) fee In-Lieu-of Parkland Dedication for this subdivision. **Vote in favor was unanimous 4-0.**

Vote:	Dick Decker	Yes	Glenn Roth	Yes
	Jacob Tanis, III	Yes	Ryan Newman	Yes

CONSENT AGENDA

Mr. Newman motioned to approve the minutes for the October 16, 2024, Budget Session and October 21, 2024, Business Meeting, and all payment vouchers. **All motions for Consent Agenda items were carried unanimously.**

COMMITTEE REPORTS

- A. Planning Commission –
 - Andrew K. Dutrow subdivision plan reviewed. No comments provided.
 - Discussion on a preliminary review of a chicken ordinance
- B. Parks & Recreation Board –
 - October meeting was cancelled
- C. Penns Prairie Park –
 - Construction of the pavilion has commenced and electrical service is planned.

SOLICITOR REPORT

The draft ordinance for a distillery and tasting room is being reviewed by Aaron Brooks for input and should be ready for the Board of Supervisors to review. A PennDOT highway occupancy permit must be obtained. The Board made no changes to the distillery and tasting room ordinance.

Solicitor Bee sent a memorandum explaining the In-Lieu-of Parkland Dedication fee. To accept a fee in lieu of parkland dedication for residential development the space must be within considerable distance of the development and reasonably accessible. There may be geographical limitations. Solicitors Bee and Dillard will provide a best practices summary.

Dialogue on taxation of short-term rentals. Potter Township currently does not have a rental code or tracking system for rentals. It was suggested to set aside further dialogue regarding taxation of this type for now.

Employee handbook revisions have been finalized. The Board was asked if there were any changes that they requested be made and no changes were suggested.

Joe Green has a Memorandum of Understanding for Treaster Kettle Road. A property owner does want to not release their ability to bring an action or to sue if it's not maintained once its already at the township release. Mr. Green has not heard from any of the other property owners at this point.

DCED has requested an update to Ordinance 2024-02 regarding debt service. The amendment will be readvertised for passage at the November 18, 2024 meeting.

STAFF REPORTS

Public Works Superintendent –

- **MAINTENANCE REPORT**

Construction Activities:

- Culvert replacement and road widening for the Decker Valley Road paving
- Snow fence installation will commence mid-month
- A quote was received from Oak Leaf Environmental in the amount of \$954.00 for asbestos abatement at the Country Club Park wellhouse. Mr. Newman motioned to approve moving forward with the asbestos abatement with Oak Leaf Environmental. Mr. Decker seconded.

All motions carried unanimously. Vote 4-0.

Construction Projects:

- Lower Georges Valley Road bridge replacement (2025)
- Decker Valley Road paving project (2025) (grant submitted)
- Shunk Road realignment (Dirt & Gravel Project) 2025

- Due to commencement and completion of the Lake Road Bridge replacement the project is now ineligible for the \$150,000.00 LSA grant. The project does have an 80% MAP reimbursement.
- Mr. Boliek requested consideration of a grant for a skid loader to use at The Woodlands to begin a recycling program.
Following consideration of uses for a grant, Mr. Roth and Mr. Newman proposed applying for two grants: one for paving and one for equipment. Mr. Newman suggested a skid loader. Mr. Roth made the motion to apply for two LSA grants, one for paving and one for a truck. Mr. Newman seconded. **All motions carried unanimously. 4-0.** Mr. Newman made a motion to move forward with using the grant for a new F-600 gas powered truck, not diesel. Mr. Decker seconded.
- Mr. Tanis suggested one of the engineering firms verify that we have everything we need for the loan paperwork. Mr. Newman seconded. **Vote in favor was unanimous. 4-0**

Secretary/Treasurer –

- The 2024 Third Quarter Right-to-Know Request Report was reviewed. Six requests were received.
- Wendy Nolf, Tax Collector, encourages the Board to consider eliminating the Per Capita tax. The increased cost of production of bills and postage through Centre County’s use of Government Software Service (GSS) beginning in 2025 would produce less revenue for the Township. If the Per Capita Tax is not eliminated by the Board then a better tracking system must be implemented to insure everyone over the age of 18 (minus those who do not qualify) is receiving the tax notices. Renters and those turning 18 are not currently being tracked.

OLD BUSINESS

The developer of The Horizon at Brush Valley has provided two Deeds of Dedication and requested an original signature on the Certificate of Acceptance by the Chair and Secretary. The Township Engineer has reviewed and approved the amount of the Maintenance Bond. Mr. Decker made a motion to approve the Certificate of Acceptance. Motion was seconded by Mr. Tanis. Resolution *R-2024-14* for Bluestem Circle and Resolution *R-2024-15* for Saffron Boulevard have been prepared that accept the Deeds of Dedication. Mr. Decker made a motion to approve **Resolution R-2024-14** for Bluestem Circle and **Resolution R-2024-15** for Saffron Boulevard to accept the Deeds of Dedication. Motion was seconded by Mr. Tanis. **All motions were carried unanimously. 4-0.**

The Pennsylvania Code requires security from a permittee to provide security in favor of the posting authority to assure compliance with the maintenance-reconstruction agreement.

(1) Amount of security. Amount of security shall be as follows:

(i) Type 1 and Type 2 permits. Type 1 and Type 2 permits shall include:

(A) \$6,000 per linear mile for unpaved highways to be maintained at a level consistent with the type of highway.

(B) \$12,500 per linear mile for paved highways to be maintained at a level consistent with the type of highway.

(C) \$50,000 per linear mile for any highway which the posting authority allows to be maintained below a level consistent with the type of highway.

Mr. Roth briefly discussed the changes he made to the proposed 2025 budget and it will be discussed at the next meeting.

NEW BUSINESS

Bellefonte Borough is planning to apply for a Local Share Account Grant in the amount of \$1,000,000.00 to go towards the purchase of a new Pierce Enforcer 100’ Ascendant Mid-Mount Platform aerial fire truck for use by the Bellefonte Fire Department. The total cost of the new apparatus is \$2,250,903.00. They have asked municipalities/boroughs for a letter of support to go along with their grant application.

Mr. Decker emphasized that this piece of fire apparatus is critical in various fire situations that could occur in our municipality and surrounding areas. There are high farm storage silos and bins that are beyond reach of local fire department equipment. Mr. Newman made a motion to provide the letter of support. Mr. Tanis seconded. **All motions carried unanimously. 4-0**

Centre County Mapping and Addressing submitted a road name request for the Nittany Business Park Land Development project. The requested name is *Business Drive*, which meets criteria for naming and 911 addressing has tentatively approved pending Potter Township final approval. After review of the request, Mr. Newman made a motion to approve the name Business Drive. Mr. Tanis seconded the motion. **Vote in favor was unanimous. 4-0.**

An MOU (Memorandum of Understanding) for BCB Centre Hall, LLC was presented for review and action. Mr. Decker made a motion that the board approve entering into a Memorandum of Understanding for BCB Centre Hall, LLC's Land Development project for a Wawa. The owner agrees to reimburse the Township for engineering services necessitated by the review, inspections and review of all required bonds and security. Second by Mr. Tanis. **Vote in favor was unanimous. 4-0.**

Mr. Tanis made a motion to advertise the intent to appoint a Certified Public Accountant to perform the 2024 annual audit in place of elected auditors, seconded by Mr. Newman. **Vote in favor was unanimous. 4-0.**

The 2024 Fee Schedule was provided to the Board for review and potential changes for 2025. Mr. Roth voiced concern that zoning permit fees for commercial buildings are lower than most other townships. Mr. Newman suggested that Penns Valley Code be contacted for fee schedules of other municipalities.

BOARD / STAFF OTHER MATTERS

- Centre Hall-Potter Sewer Authority – Meeting Minutes – September 11, 2024

ADJOURNMENT:

Mr. Tanis made a motion to adjourn the Business Meeting at 8:55 p.m. Motion seconded by Mr. Decker.

Respectfully submitted,

Lisa A. Kroner

Lisa A. Kroner, CGA

Township Secretary

Potter Township Board of Supervisors