

MINUTES  
PUBLIC WORKS COMMITTEE  
SEPTEMBER 4, 2012

The Penn Township Public Works Committee met in public session on Tuesday, September 4, 2012 at 7:20 p.m. following the Finance Committee meeting. Present were Chairman Goldsmith and Commissioners Prieber, Klunk, Heilman, and Felix. Also present were Manager Garvick, Township Engineer Bortner, Highway Foreman Mahan, WWTP Supt. Mahone, Police Chief Laughlin, Fire Chief Cromer and Administrative Assistant Rodgers.

ANNOUNCEMENTS: None

APPROVAL OF MINUTES: The minutes of the August 7, 2012 Public Works Committee meeting were approved as submitted.

CITIZEN'S COMMENTS: None.

CENTER STREET R-O-W ACQUISITION: Bernie Kametz, Interstate Acquisition Services (IAS), was present to discuss the progress of acquiring the rights-of-way needed to complete the Center Street Improvement Project. The project is scheduled to be let out for bid by PennDOT in February 2013. Prior to the bid being let the Township must have compensated all agreeable property owners for the necessary rights-of-way or have escrowed the funds in the name of any property owner not in agreement not less than forty-five days prior to the project being let. This would require the Township to have all the right of ways secured by December 13, 2012. Manager Garvick stated that IAS has hired an appraisal firm to appraise the fifteen properties that the Township will need to acquire rights-of-way from. Once the appraisals are prepared they are reviewed and approved by a second appraiser. Interstate has received eleven of those approvals back and just received the executed offer letters from the Township for those properties. The required rights-of-way are both temporary and permanent. Mr. Kametz stated that he would make at least three contacts with all the property owners regarding the offer letters during this process. In order to keep the process moving, Mr. Kametz would like the Township to pass a resolution authorizing the payment of the property owners for their rights-of-way, which would include the language necessary for any deed transfers. The resolution would also include any language for the use of eminent domain that may be necessary if any party is not in agreement with the offer. If the resolution is not passed and there are problems with getting the necessary rights-of-way the project could be held up until the rights-of-way issues are resolved. Solicitor Tilley would help prepare the resolution. After some discussion, the Committee recommended not adopting any resolution referencing condemnation (eminent domain) until an actual problem with acquiring the necessary rights-of-way is encountered.

BREEZEWOOD DRIVE SIDEWALK REQUEST: The Committee received a request dated August 22, 2012 from Johnston and Associates for a waiver of the sidewalk requirements for the Breezewood Drive Project. They are proposing a different configuration for sidewalk along lots 1 through 12 of the project. The note on the plan for this change would be reflected in the deed for lots 1 through 12. The Penn Township Planning Committee will review the request at their next meeting.

MEDEXPRESS SIGN ORDINANCE WAIVER REQUEST: The Committee received a request from MedExpress for a waiver of the sign ordinance to advertise their facility at 1139 Baltimore Street. Matthew Creme, Jr., attorney for MedExpress and Jeff Such, Pennsylvania property

manager, were present to represent the request. MedExpress is requesting a total of 182 square feet of signage for their facility. The Sign Ordinance only allows a total of 100 square feet. They would like to keep the existing 102 square foot pylon sign in addition to the recently installed eighty square foot building sign. They stated that they are using the pylon sign as constructed and it would be used to assist customers to identify the property, access the property and park at the property. Mr. Creme stated that the pylon pre-existed their use of the property. The property had previously been a restaurant and a church. The existing pylon sign is temporary and once they received approval for the larger sign they would replace the plastic with sheeting. They provided diagrams showing the signage they would like to have at the property. The committee recommended that MedExpress consider downsizing the building sign to get them into compliance. The consensus of the committee was that the current pylon sign was more than adequate to alert the public. After some discussion, the Committee recommended denying the request. Mr. Such indicated that he would take the recommendation back to his corporate leaders.

CLOVER LANE/BALTIMORE STREET SIGNAL UPDATE: Manager Garvick reported that J. A. Myers is proceeding with the installation of the signal at the intersection of Clover Lane and Baltimore Street. Mr. Garvick noted that Jay Warren, the owner of Dominos Pizza has been contacted by Mr. Myers on behalf of PennDOT to sign a waiver of release for any claims or future claims since they will receive the benefit of the signal. An existing turning lane on Baltimore Street will be extended southward past the Dominos Pizza property and PennDOT considers this a "benefit". Mr. Warren is reluctant to sign any waiver without having additional information as to why. After speaking with Mr. Warren's attorney, Manager Garvick has requested clarification from the traffic design engineer.

CODE ENFORCEMENT OFFICER: Manager Garvick reported that an advertisement will be in the paper for a part-time code officer.

CITIZENS QUESTIONS TO THE COMMITTEE REGARDING DISCUSSION ITEMS: None

The meeting was adjourned at 8:00 PM.

Respectfully Submitted  
Kristina J. Rodgers, Township Secretary