

**PENN TOWNSHIP BOARD OF SUPERVISORS**  
**1301 Centerville Road**  
**Newville, PA 17241**  
**Tel: 717-486-3104 Fax: 717-486-3522**  
**Regular Meeting**  
**January 11, 2018**

Chairman Martin called the meeting to order and led everyone present in the Pledge of Allegiance.

Those present: Chairman Gary Martin, Vice Chairman Ken Sheaffer, Supervisor Ronald Tritt, Solicitor Marcus McKnight, Treasurer Martha Sheaffer and Secretary Vicki Knepp.

**PUBLIC COMMENT**

None

**APPROVAL OF MINUTES**

Vice Chairman Sheaffer made a motion to approve the minutes from the December 14, 2017 Regular Meeting. Supervisor Tritt seconded the motion. Motion approved.

Supervisor Tritt made a motion to approve the minutes from the January 2, 2018 Reorganization Meeting. Vice Chairman Sheaffer seconded the motion. Motion approved.

Chairman Martin made a motion to approve the December 31, 2017 Treasurer's Report. Supervisor Tritt seconded the motion. Motion approved.

**APPROVAL OF SUBDIVISION PLANS**

None

**UNFINISHED BUSINESS**

Trash – the Secretary reported that there is a new list, she requested permission to send letters to the past due accounts. Vice Chairman Sheaffer made a motion to authorize the Secretary to send the letters. Supervisor Tritt seconded the motion. Motion approved.

Septic – The secretary reported that 224 of the 291 systems due to be pumped in 2017 are done that is 77%. She requested permission to send a list to the septic haulers of the systems due that were not pumped to see if she missed getting any reports. Vice Chairman Sheaffer made a motion to authorize the Secretary to send the lists. Supervisor Tritt seconded the motion. Motion approved.

Resolution 2018-08 Gerrymandering – Chairman Martin made a motion to adopt Resolution 2018-08. Chairman Martin seconded the motion. Motion approved. Chairman Martin made a motion to support the COG initiative to do the same thing at their next meeting. Vice Chairman Sheaffer seconded the motion. Motion approved.

Exeter Bank Accounts – The Treasurer checked on rates with State Farm. Their rate was 1.44 for a 36 month CD. Orrstown Bank is 1.54. The Treasurer stated that she prefers to deal with Orrstown. She asked what term they would like to put the Park and Rec check into. Chairman Martin stated that the walking paths are being overrun by weeds so we should use some of the money to pave the paths. Vice Chairman Sheaffer made a motion to deposit two-thirds of the check into a 3 year CD and deposit the balance in the Park & Rec checking account. Supervisor Tritt seconded the motion. Motion approved. The Treasurer asked what term they would like to put the money for road improvements. Chairman Martin said to put it into a 3 year CD .

Township Employees Wages and Salaries – Chairman Martin stated that we did not give raises because of health care costs but we have employees who do not get health care and we are penalizing them. Chairman Martin made a motion to give the non-health insurance covered employees a 3% raise. Vice Chairman Sheaffer seconded the motion. Motion approved.

## **NEW BUSINESS**

Trailer – Chairman Martin stated that we need to resolve the issue of the trailer. The items in it have been there since 2008. We need to take it to auction or scrap it. Vice Chairman Sheaffer made a motion to scrap whatever we can and take the rest to auction. Supervisor Tritt seconded the motion. Motion approved.

Nick Mallios – Chairman Martin stated that Mr. Mallios had called both him and the Secretary a couple of times regarding the driveway next to his property on the Exeter warehouse grounds. The issue is a private property agreement between the Mains/Clelans and Exeter. The Township had no input into it. Chairman Martin stated he does not think the township has any way of changing it. Chairman Martin stated that there has been concern that the Clelans maybe using the grassy area on the north side of the property between the berm and the property line for equipment sometimes. That would be creating a third driveway which we do not want to happen.

## **CORRESPONDENCE**

None

## **PROJECT UPDATES**

The new dump truck is at the garage getting outfitted with the new bed, plow and lights, etc. We do not have a date on an estimated delivery time.

The road crew has been working on the equipment. They worked on the grader and got problems with the brakes and lights fixed. They are now working on the Athey. It is a '73 with the original brake drums on it. It took two days to get the first drum off and the second came off today.

## **ZONING CODES ENFORCEMENT**

Tim Knepp said he was expecting someone to be at the meeting to complain about the property at 2597 Walnut Bottom Road but she has not shown up. She has continued to complain that she does not understand how a business can be run out of a Residential area. She

has also complained about sight distance pulling out of Mt. Rock Road onto Walnut Bottom. Two of the Supervisors have looked at it and have not seen a sight distance problem and Mr. Knepp stated he was there again today and there was no sight distance problem. We have explained multiple times that they are storing equipment there, not operating a business.

Stambaugh Quarry Hill Road – Mr. Knepp reported that we had given the Stambaughs extensions to clean up the property due to Mr. Stambaugh’s health issues. We gave them until the middle of November to show some progress or contact us if they were having problems. The property is worse and we have not heard anything from the Stambaughs. Vice Chairman Sheaffer made a motion to cite the Stambaughs \$800.00 fine and \$400.00 legal fees and then an execution on the Quarry Hill Road property after the appeal process. Supervisor Tritt seconded the motion. Motion approved.

LeDane – Mr. Knepp said he spoke with Mr. Shaw about the LeDane property. Mr. Shaw said that if nothing happened from the resident regarding cleanup they were going to evict the tenant. Supervisor Tritt said that the daughter let him know that she plans to come back in the spring and clean the property up. It was determined that we need to set a deadline to have this done. Supervisor Tritt is to notify the daughter that she has until April 30 to get the property cleaned up. Mr. Knepp said we have already started the process for the Dilapidated Structure Ordinance. The Solicitor stated we can grant them extensions if they request. Mr. Knepp stated that he would like to see this in writing, not via phone call. Chairman Martin made a motion to have the Solicitor send letter to Andrew Shaw with the deadline. Supervisor Tritt seconded the motion. Motion approved.

Cromer Property Quarry Hill Road- Mr. Knepp said he will be sending a letter to Mr. Cromer regarding the trash at his sister’s RV asking to have his sister in line to clean up the trash.

## **SOLICITOR REPORT**

FPE Engineering –The Solicitor has the name of a mediator recommended by Mr. Shambaugh’s attorney. This gentleman will come to Carlisle and has a lot of experience. He can do it the end of February. The Secretary said we need to do this before the end of February, as soon as possible, in order to get the bid package prepared to get it out in time for the construction season. The Solicitor stated he will see how soon he can schedule it. He still needs the report from our engineer. Vice Chairman Sheaffer made a motion to authorize Robert Creo as the arbitrator in the Shambaugh case. Chairman Martin seconded the motion. Motion approved. Half the cost will be paid by us and half by the other side.

Nolt – The Solicitor stated the Nolts are claiming the harness and buggy we executed on was not theirs. The Solicitor asked how we deal with Nolts. Chairman Martin made a motion to table this for a month. Vice Chairman Sheaffer seconded the motion. Motion approved.

The solicitor requested an Executive Session to deal with a personnel issue and a potential legal issue.

## **OTHER REPORTS**

COG – Chairman Martin reported that Fair Districts made a presentation at COG regarding redistricting. The County has reported that electronics recycling has taken in

293,377# of electronics. The hours for recycling are Tuesdays and Wednesdays from 12:00 – 4:00 and the 2<sup>nd</sup> and 4<sup>th</sup> Saturday of the month 8:00 – 12:00. The FEMA Flood Plain maps should be out for review the first half of 2018. If you live near a Flood Plain please look the new maps over because flood insurance will be high this year.

Ag Preservation – Chairman Martin reported they did not have a meeting. They still have an opening for an at large member.

Roadmaster – No report

Fire Marshal’s Report – No report

Newsletter – the Secretary reported that the newsletter went to the printer yesterday and the email version went out that day.

Chairman Martin stated that Paul Wilson is our new engineer. He is Craig’s brother. Paul will be here tomorrow. They plan to go out with the Roadmaster to different projects in the Township.

#### **APPROVAL OF BILLS LISTING**

Vice Chairman Sheaffer made a motion to pay the bills. Supervisor Tritt seconded the motion. Motion approved.

#### **SUPERVISORS’ REPORTS**

Supervisor Tritt stated he attended the COG meeting with Chairman Martin earlier in the week.

Vice Chairman Sheaffer stated that he spoke with Bill Seaton after the Reorganization Meeting and discussed Randy Heishman’s water problems. Mr. Heishman said that Funk welded a two foot extension on his well head. Vice Chairman Sheaffer explained that to Mr. Seaton and told him we need to have an investigation done of the problem. Chairman Martin stated that the issue is we do not even know where the problem is coming from. It could be from the Ickes property, but it could also be from Mr. Heishman’s property or the Barrick property. If it is on the Ickes property the Developer will have to remediate; however, if it is not on the Ickes property it is not their problem. Mr. Cribbs stated that we are not sure of the exact location of the ore pit. He is meeting with the Historical Society to see if they can narrow the location down. Vice Chairman Sheaffer stated that the ball is rolling. Mr. Cribbs said we need to get a citizen letter writing campaign going. The Secretary stated that the information has been posted to facebook and it is in the newsletter. Chairman Martin stated that he received a call from the Developer who was upset about the facebook posting. Mr. Kros said they had done environmental studies already. The developer may balk at paying the additional \$5,000.00. The Solicitor stated that we have not seen the results from the environmental tests; they can pay for this or provide us with the results of their tests. Merle Negley asked if he should be concerned about his well since he has two warehouses in his back yard. The Solicitor stated that the purpose of the facebook posting was for anyone in the area having well problems to notify us so we can track them down. Chairman Martin stated that he should not be affected. Mr. Negley said he was concerned about the idling vehicles and traffic being obstructed by the trucks sitting along the sides of the ramps pulling out onto Route 233. Russell Negley asked about the Township Road Plan for 233. Chairman Martin explained that it is a state road. A

traffic analysis was done and submitted to PennDOT prior to the construction of any warehouses. Mr. Negley asked if that included the new warehouses and what road changes are planned. Chairman Martin stated that there will be right turn lanes for the warehouse to the north of 81 and an additional traffic light put in for the south side exit ramp, a right turn lane coming out of the Ickes property and a traffic signal. Russell Negley said there are three main issues he has seen: 1) the speed limit is 55 MPH in that area; 2) the trucks miss the entrance; and 3) make u turns on Route 233 at the curve. Chairman Martin stated he has spoken with several people at PennDOT and they will not allow us to put up any signs to direct traffic to the warehouses. We have requested that they lower the speed limit and they said no. The Solicitor stated that the Township has hired a traffic engineer to work with PennDOT on our behalf. Mr. Negley asked what the next step is for the residents. Should they contact their State Rep? File positions? The Solicitor stated he needs to talk with the traffic engineers at District 8.

The Solicitor stated that the last septic inspection for 2016 has been pumped after we sued them. The Secretary stated they have not paid the judgment. He asked if he should authorize an execution against them. Chairman Martins stated that the purpose of the suit was to get the septic pumped and it has done so. Chairman Martin asked how much was the fine? Vice Chairman Sheaffer stated that we should waive the fine if they pay costs and attorney fees, otherwise we will seek execution. The Solicitor was directed to send a letter to that effect.

Vice Chairman Sheaffer stated he also met with Paul Wilson and gave him the information about the stormwater problem on the property across from the Bream's on Kutz Road.

Chairman Martin stated that he was contacted by Wilbur Wolf about a delinquent LST Tax payer. A truck driver on Mt. Rock Road does not want to pay the LST. The School District has a plan to cut back on the fine and costs to get the resident to pay the LST Tax. Chairman Martin agreed to that. Chairman Martin made a motion ratify the reduced fine for the delinquent resident on Mt. Rock Road. Vice Chairman Sheaffer seconded the motion. Motion approved.

Chairman Martin stated that during the month he attended the COG meeting, the Fire Company, he met with several members of the Planning Commission, attended the Zoning Hearing Board Meeting and spoke with Bill Seaton on the potential ore pit.

## **BREAK FOR EXECUTIVE SESSION**

## **RECONVENE**

Solicitor McKnight stated that a personnel issue and potential future litigation were discussed during the Executive Session, no decisions were made.

Vice Chairman Sheaffer made a motion to authorize the ARM Group to do the testing of the Heishman property, investigate the potential iron ore pit and perform the well testing. Chairman Martin seconded the motion. Motion approved. Mr. Cribbs inquired if one company will be doing all the testing. Vice Chairman Sheaffer made a motion to authorize the Solicitor to send the ARM Agreement to the Developer with the understanding that they are going to be paying for it. Chairman Martin seconded the motion. Motion approved.

The Treasurer stated that we had our Liquid Fuels audit done by the State. We had no findings.

Chairman Martin reminded everyone of the workshop on January 18.

Vice Chairman Sheaffer made a motion to adjourn. Supervisor Tritt seconded the motion.  
Motion approved.

**NEXT REGULAR MEETING FEBRUARY 8, 2018**

Respectfully submitted,

Vicki Knepp  
Secretary