

PENN TOWNSHIP BOARD OF SUPERVISORS

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March 13, 2008

Chairman Amos Seiders called meeting to order and led everyone present in the Pledge Allegiance to the Flag.

Present: Chairman Amos Seiders, Vice-Chairman Ken Sheaffer, Supervisor Gary Martin, Solicitor Marcus McKnight III, and Secretary/treasurer Pat Sangialosi

PUBLIC COMMENT

Phil Dudek, owner of Priority Tower asked the supervisors if they would be interested in letting him erect a cell tower on the township property. He reported he checked on this property and the school property and this property would be a good site for a tower. He said it would help alleviate some of the problems we are having with cell phone reception. He explained that he checks out the sites, erects the towers and rents the space on the towers, and the township would receive a monthly payment for the lease agreement. After some discussion, Supervisor Martin stated that anything that would generate revenue for the township is worth looking into. Vice-chairman Sheaffer made a motion to have Mr. Dudek draw up a proposal and send to Marcus for his review. Supervisor Martin seconded the motion. Motion approved.

Ron Tritt, Assistant Codes Enforcement Officer was present to report on residents parking on township roads, especially in the developments. He asked the supervisor to develop an Ordinance to prevent this from happening. There is a sample ordinance on the PSATS website and the secretary will make sure Marcus gets a copy. The solicitor was instructed to look at this and make recommendations at the next meeting.

Steve Fosburg wanted to know what was happening with the community center. Solicitor McKnight stated that the supervisors are still discussing procedures and looking at options and when they are ready a decision will be made at a public meeting.

Fred Leeds asked what the supervisors are going to do about the trailers that are being brought in to use as storage containers. He stated the Subdivision and Land Development Ordinance prohibits the use of trailers for storage or as accessory buildings. How are we going to enforce this and how far back can we go? He also reported that there was an amendment change to allow farmers to use these trailers for grain storage. Marcus stated that normally if there is a complaint, action is taken. He suggested that Fred take pictures of these trailers and let the supervisors take a look at them.

APPROVAL OF MINUTES AND TREASURER'S REPORT

Vice-Chairman Sheaffer made a motion to approve the minutes from the Feb. 14, 2008 meeting. Supervisor Martin seconded the motion. Motion approved.

Supervisor Martin made a motion to approve the Treasurer's report as of Feb. 29, 2008. Vice- Chairman Sheaffer seconded the motion. Motion approved.

SUBDIVISION PLANS

G. Thomas Bennett – The secretary pointed out that this plan was approved in 2004 and there was a condition that in the event of Mary May's death the driveway would no longer be used and the house was to be torn down. The solicitor stated you need to send a letter to the owner to remove the house.

OLD BUSINESS

1. Zoning Ordinance amendments – Solicitor McKnight stated that now was the time for a public hearing on the proposed Zoning Ordinance amendments. There being public comment from those present, Supervisor Martin made a motion to approve the Zoning Ordinance amendments. Vice-chairman Sheaffer seconded the motion. Motion approved.
2. Yellow Breeches Watershed Ordinance – Vice-Chairman Sheaffer wanted to know if we agree to implement this Ordinance throughout the township not just along the Yellow Breeches, is it enforceable? Solicitor McKnight stated that it is just a modification of the ordinance and waivers can be granted. Supervisor Martin pointed out that the engineer recommended this change then there would be only one plan and not two. Supervisor Martin made a motion to approve implementing the Yellow Breeches Watershed Ordinance throughout the township not just along the creek Vice-Chairman Sheaffer seconded the motion. Motion approved..
3. Crider property on Pine Road – Fred Leeds pointed out that Amos and him went out to check the property and granted he has made some progress, but there is still a lot of work to be done. The solicitor suggested taking pictures and sending him a letter giving him 30 days to clean up and give him specifics of what has to be cleaned up.
4. Key Logistics – 30 EDU's for Penn Township – The solicitor pointed out that Key reserved 80 EDU's but they only need 50 for the warehouse complex. The remaining 30 were to be given to the township, but it seems Key is under the understanding that the township is to pay for these EDU's. Marcus suggested the supervisor hold an executive session to discuss options.
5. Purchase rotary mower versus flail – Ron stated that the difference between the two is that the rotary mower will cut brush and go faster. Supervisor Martin made the motion to buy a rotary mower. Chairman Seiders seconded the motion. Motion approved.

NEW BUSINESS

1. Bottled water – the secretary pointed out that since we got a new well and the water has been tested the water at the township building is drinkable. Vice-Chairman Sheaffer made a motion to remove the bottled water. Chairman Seiders seconded the motion. Motion approved.
2. Peach Orchard driveway – Fred stated that without a permit a property owner started to put in a driveway. In checking the subdivision plan the owner is to

use Spahr Lane to access his property and the Zonin Ordinance states that there is to be only one driveway per lot. The solicitor suggested sending this owner a letter to cease and desist using that driveway and enclose a copy of the subdivision plan. Supervisor Martin made the motion. Chairman Seiders seconded the motion. Motion approved.

3. Centerville demolition bids – The secretary reported the township received 3 bids as follows: Gleim \$157,140.00; Snoke's \$122,440.00; and L&W \$155,888.00. Supervisor Martin stated that these bids are considerably higher than anticipated. Supervisor Martin made a motion to decline accepting any and all bids. Vice-Chairman Sheaffer seconded the motion. Motion approved.
4. Supervisor Martin stated that our intention is to have the road crew take the building down. They will remove the wood and metal, take the roofing material to the landfill and bury the rest. Vice-Chairman Sheaffer made a motion to have the road crew take the building down. Supervisor Martin seconded the motion. Motion approved. Chairman Seiders also stated that the road crew has checked on the rental of equipment needed to do the job: Excavator \$6160/month; small loader \$6750/month; and roller \$4140/month. He pointed out that he called Plasterer and they will rent the excavator for \$4580/month; moving expense is \$100/hour, plus permits. The township needs to contact PPL to disconnect the temporary service.
5. Penn Drive – It was pointed out that there is an ordinance restricting parking on Penn Drive. Vice-Chairman Sheaffer made a motion to suspend the no parking during demolition and construction. Supervisor Martin seconded the motion. Motion approved.

SOLICITOR REPORT

Solicitor McKnight passed out an article that ran in the Sentinel prior to the opening of the time capsule at the school. He then asked for an executive session to discuss some legal matters.

OTHER REPORTS

Pat stated there are some things to be discussed concerning the school: She reported the demolition permit will be submitted to DEP within the next day or two and it has to be in their hands 10 working days before demolition can start. Vice-Chairman Sheaffer made a motion to have the township engineer finish the design of the building. Supervisor Martin seconded the motion. Motion approved. Supervisor Martin pointed out that the building will be relocated so we can minimize the compaction of the hole. Vice-chairman Sheaffer made a motion to have Gary complete the RFP and advertise. Chairman Seiders seconded the motion. Motion approved.

She also stated that in order to haul to the landfill, the township needs a state permit. In checking with the landfill, they can bring in a container for \$416.00 for four ton plus \$49.00 for each additional ton and the state requires \$100.00 per truck

WCCOG – Pat reported at the COG meeting on Monday:

- Tom Imphong gave an update on the recycling and the dates for their spring event all to be held at Allen Road:

- April 5 – tires
- May 3 & 4 – computer and electronics
- June 14 & 15 – appliances
- July 7 & 8 – household hazardous waste
- Saturday hours 9 am to 2 pm and Sunday hours 9 am to noon
- HB934 requesting tipping fees is sitting on someone's desk waiting to be carried to the House or Senate
- Kirk Stoner reported the Tri-County SALDO is pretty much done and there will be funding available if other municipalities want to update their ordinances
- Turnpike bridge closures were also discussed and there is to be another meeting with Big Spring School District

PARK AND REC – Vickie reported the Park and Rec adopted by-laws and drew up a new application form; Big Spring soccer will start practice on the 17th weather permitting; Clean-up will be March 22, rain date following Saturday; Mike Valek was appointed as a voting alternate and he has been to one meeting, Supervisor Martin suggested writing him a letter or contact him personally to find out if there is a legitimate reason for not attending the meeting. Ron reported the Park and Rec is getting ready to put in a 30 x 60 sand volleyball court. The nets and poles have been ordered and it will be placed below the playground equipment. Supervisor Martin wanted to know if the soccer league was told about the demolition and construction and he was told they were informed.

APPROVAL OF BILLS LISTING

Chairman Seiders made a motion to approve the bills listing. Vice-Chairman Sheaffer seconded the motion. Motion approved.

Fred Leeds reported there is a vacancy on the county Planning Commission and we need someone on the committee from the western end of the county. My name is already on the list.

Chairman Seiders made a motion to adjourn the regular meeting to go into Executive Session. Vice-Chairman Sheaffer seconded the motion. Motion approved. Meeting temporarily adjourned.

Following executive session Chairman Seiders made a motion to open the meeting again. Supervisor Martin seconded the motion. Motion approved.

Solicitor McKnight reported the supervisors in executive session discussion some legal issues: Dan Farwell appeal a zoning hearing is set for April 9. Supervisor Martin made a motion to have Marcus present to represent the supervisors. Vice-Chairman Sheaffer seconded the motion. Motion approved. The Fettrow property sheriff's sale has been postponed until June. He has put the property in other people's names. He stated we will go after the other property owners if it becomes necessary. He stated that right now we should send the sheriff out to look over the property and list any tools and equipment he has and enter a judgment to put a lien on the personal

property. The supervisors also discussed the 30 EDU's for the Centerville sewer and it was recommended sending a letter to Key stating they need to buy the 30 EDU's and then sit with the supervisors and conclude what else needs to be done.

SUPERVISOR COMMENTS

Supervisor Martin reported that in January his wife was appointed to be an auditor, but after some discussion with her, she felt it was inappropriate to be an auditor when her husband is a supervisor. She has sent in a letter of resignation. Therefore Penn Township needs an auditor.

Chairman Seiders reported that Paul Group has volunteered his services to help demolish the building and he recommends bringing in a dumpster. Vice-Chairman Sheaffer made a motion to approve Paul Group as a part-time employee. Supervisor Martin seconded the motion. Motion approved.

ADJOURNMENT

Chairman Seiders made a motion to adjourn. Supervisor Martin seconded the motion. Motion approved. Meeting adjourned.

Next meeting April 10, 2008

Respectfully submitted,

Patricia Sangialosi
Secretary