

PENN TOWNSHIP BOARD OF SUPERVISORS

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April 10, 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, Secretary/Treasurer Patricia Sangialosi

PUBLIC COMMENT

Steve Fosburg asked that all his comments be put in the minutes and the solicitor stated that can be included as an attachment. He was present again to express his concerns about a community center and the district justice office. Both chairman Seiders and Vice-Chairman Sheaffer informed him again that the community center will get built, just not right now and he was also informed that he needs to attend the Park and Recreation Board meetings to know what is being planned for the park and the rest of the property at the school. Gary Martin also informed him that the minutes from the supervisor meetings are put on the website within a week after approval.

Clyde Barrick wanted to know why he needed a permit for a trench silo. He was under the understanding that because he is a farmer he is exempt. The secretary informed him that he not only needs a building permit, but he also needs a zoning permit. If it adds to the value of your property, you need a permit.

Greg Fisher reported that he was told he couldn't put up a 4 foot temporary fence to keep his grandson from running onto the road. He was told he could put up a 3 foot fence and that it had to be 16 feet off the road. The solicitor informed him that he could come to the zoning hearing board and ask for a variance. He stated he needs to come to the office and acquire a request form from the secretary, fill it out and the zoning hearing board will set up a date and time for the hearing.

APPROVAL OF MINUTES AND TREASURER'S REPORT

Supervisor Martin made a motion to approve the minutes from the March 13, 2008 meeting. Vice-Chairman Sheaffer seconded the motion. Motion approved.

Vice-Chairman Sheaffer made a motion to approve the treasurer's report as of March 31, 2008. Supervisor Martin seconded the motion. Motion approved.

SUBDIVISION PLANS

E. Harold Thumma – The secretary reported that this plan can only be approved conditional on getting approval from DEP for the module, and the County and State Boards for Land Preservation. Vice-Chairman Sheaffer made a motion to approve the plan pending all the other approvals. Supervisor Martin seconded the motion. Motion approved.

OLD BUSINESS

1. Cell Tower agreement – Marcus reported that he has not received an agreement from Mr. Dudek from Priority Tower, but he understands that he is working on one and should have it to the solicitor soon.
2. County Lease Agreement – Solicitor McKnight passed out copies of the agreement along with a letter to John Lopp. After some discussion, under Utilities a sentence will be added that the County will be responsible for the installation and maintenance of the telephone, computer and security systems. Vice-Chairman Sheaffer made a motion to approve and ratify the agreement with the changes. Supervisor Martin seconded the motion. Motion approved.
3. Draft Ordinance for No Parking on Township rights-of-way – Marcus reported he didn't have the draft ready because he had some questions. He wanted to know if this pertained to all township roads and all types of parking. Chairman Seiders stated that it should be for all roads and should be for all types of parking except emergency parking and temporary parking for special events in which case they should notify the office. Marcus will have a draft ready for next meeting.

NEW BUSINESS

1. Resolution 2008-7 Using City of Harrisburg contact to buy mower – The secretary reported that in order to use the City of Harrisburg state contract to purchase a mower at a reasonable price, we need to send them a letter of intent and adopt a resolution. Vice-Chairman Sheaffer made a motion to sign the letter of intent and adopt Resolution 2008-7. Supervisor Martin seconded the motion. Motion approved.
2. Park and Rec letter to Mr. Ickes – Chairman Seiders reported that Mike Ickes has given the township permission to take out the fence row along his property line and ask that we installed a fence. This letter states that the fence will be erected after the new building construction. The letter has been approved by the Park and Rec board. Supervisor Martin made a motion to send the letter to Mr. Ickes. Vice-Chairman Sheaffer seconded the motion. Motion approved.

SOLICITOR REPORT

Marcus reported that in speaking with the Key developers concerning the 30 EDUs for Penn Township. They are willing to give us an additional amount of money for another year and give us an easement for a water tower and a pumping station and in turn the township would pay for the EDUs, 2/3 by the end of 2008 and the balance by the end of June 2009. Vice-Chairman Sheaffer stated that this is a substantial amount of money and we can sell the EDUs if they are needed by someone else. He stated that Newville is in the process of expanding their facility and if a developer comes along and doesn't want to wait until the expansion is done, the township can sell them some of our EDUs. Clyde Barrick asked about the sewer to Centerville by 2010. Vice-Chairman Sheaffer reported that when the ACT 527 is approved by DEP, we have approximately 5 to 6 years to get sewer to Centerville. Vice-Chairman Sheaffer made a motion for Marcus to draft a new

agreement based on the above. Supervisor Martin seconded the motion. Motion approved.

Vice-Chairman Sheaffer made a motion to have the township engineer start on a sketch plan for the easement for a water tower and a pumping station. Supervisor Martin seconded the motion. Motion approved.

Marcus reported that the trimming of trees and brush in the township rights-of-way is clearly defined in the Second Class Township Code Book. Chairman Seiders stated that we adhere to that rule.

Marcus reported a letter was received from an attorney concerning locating a cell tower in the Ag district on a lot that already has an existing structure. The Zoning Ordinance states cell tower must be on vacant land unless the cell tower leases land and it meets the zoning requirements for a lot size. Vice-Chairman Sheaffer made a motion for Marcus to respond to this letter also informing him that the parties must also obtain a conditional use. Supervisor Martin seconded the motion. Motion approved.

Marcus then stated he had another letter from an attorney concerning the Verdekal subdivision plan that was already approved, but the copy of the deed didn't get to the township within the allotted time frame. There was some problem with clean and green and just now got resolved. Marcus will send a letter giving them 30 days from April 10 to get us a copy of the new deed.

Marcus has entered a judgment on the Fettrow property with the Sheriff's office.

He is still going through the Yellow Breeches Watershed Ordinance to make sure it can be made applicable to the entire township

Marcus then updated everyone on the Farwell Zoning Hearing. He explained what has transpired so far. He then stated that Farwell has again changed his mind and now wants to build one 40 x 180 building for personal storage and a gun shop. Mr. Farwell must submit an E & S plan to County Conservation for their approval and he must obtain another building permit. The agreement will be amended to state that County and possibly DEP must approve the E & S plan. Supervisor Martin made a motion to approve the agreement with changes. Vice-Chairman Sheaffer seconded the motion. Motion approved.

Marcus then asked for an Executive Session to discuss a personnel matter.

OTHER REPORTS

WCCOG – Pat reported that there is no WCCOG report because the meeting isn't until Monday the 14th.

Pat then reported that we just received the turn back agreement for the replacement of two bridges. Supervisor Martin made a motion to sign the agreement

based on review by the solicitor. Vice-Chairman Sheaffer seconded the motion. Motion approved.

Pat then reported that Embarq will be putting fiber optic cables in Penn Township for residents to hook up to DSL.

She then reported that a resident came into the office asking that No Fishing from Bridge signs be put up on Lebo Road. Supervisor Martin made a motion to put up the signs. Vice-Chairman Sheaffer seconded the motion. Motion approved.

APRIL NEWSLETTER – Chairman Seiders made a motion to approve the April newsletter for print. Vice-Chairman Sheaffer seconded he motion. Motion carried.

PARK & RECREATION – Buck reported that Big Spring Youth Soccer would like to lease the field for 5 years. Buck suggested it go back to the Park and Rec Board for further discussion. George Rohrs reported that the Youth Soccer League is paying to put electric to the pavilion.

Buck reported him and Ron and members from the fire company met to try to come up with an area on the fire company land to put in a small park, to include a volleyball court, small pavilion. They are still working on this. The Park and Rec is going to start working on the walking trail at the school and putting in a volleyball court. Buck also reported they are looking at the backstops and considering reworking and moving to the western end of the field.

SUPERVISOR COMMENTS

Supervisor Martin reported he met with PPL and they will not run an electric line over or through private land. Still working on how to get electric tot he pavilion.

He also reported that the road crew did an excellent job of demolishing the building and it had cost us approximately \$22,000.00 versus what the construction crews estimated. Vice-Chairman Sheaffer also reported that we go a lot of cooperation from the Dickinson crew.

.ADJOURNMENT

Vice-Chairman Sheaffer made a motion to adjourn the regular meeting and go into Executive Session. Supervisor Martin seconded the motion. Motion approved.

Following Executive Session Vice-Chairman Sheaffer made a motion to reconvene the meeting. Supervisor Martin seconded the motion. Motion carried.

Solicitor McKnight stated that the executive session was to discuss a personnel issue and no decisions were made.

Vice-Chairman Sheaffer made the motion to adjourn. Supervisor Martin seconded the motion. Motion carried. Meeting adjourned.

Respectfully submitted.

Patricia Sangialosi, Secretary/Treasurer