

PENN TOWNSHIP BOARD OF SUPERVISORS

1301 Centerville Road

Newville, PA 17241

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Regular Meeting

October 8, 2009

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

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

PUBLIC COMMENT

Dan Doyle from Kutz Road was present to discuss the sinkhole problem on his property. He explained that the township engineer recommends filling in the sinkhole by the township crew and the property owner needs to correct the contour of the land by putting in a swale. Mr. Doyle doesn't feel that it is his responsibility to put in the swale. He feels the water problem is coming from the Shetron Welding property. Chairman Martin stated we would pull the plans and take a look at them and let Mr. Doyle know our findings

Lee and Debbie Ulsh from Pine Road were present to ask for an extension of their removal agreement. Mr. Ulsh stated he understood that the removal agreement was for the trailer only and not the basement. After discussion, the supervisors informed Mr. Ulsh that he needs to take the concrete around the basement to ground level and then fill it in. Mr. Ulsh asked for a 90 day extension. Fred stated that if he wants the basement left open, it would require a conditional use hearing to maintain the accessory structure. Supervisor Seiders made a motion to grant a 90 day extension. Vice-Chairman Sheaffer seconded the motion. Motion approved.

Dan Farwell was present to explain to the supervisors that most of the cars are now under roof and the remaining cars will be put under roof and soon as he can build a storage area. He stated he just got approval for a lean to next to the barn. Vice-Chairman Sheaffer made a motion to grant Mr. Farwell 90 days to get the cars under roof. Supervisor Seiders seconded the motion. Motion approved.

APPROVAL OF MINUTRS AND TREASURER'S REPORT

Supervisor Seiders made a motion to approve the minutes from the Sept. 10, 2009 meeting. Vice-Chairman Sheaffer seconded the motion. Motion approved.

The secretary reported the bank statements did not get here in time so there is no treasurer's report.

APPROVAL OF SUBDIVISION PLANS

Huntsdale Fish Hatchery – The secretary wanted to know who records the plan since the supervisors stated at the last meeting that they have no jurisdiction to approve the plan. Marcus stated he would speak with their solicitor.

Clarence Spoerl removal agreement Mr. Spoerl wants to build a garage and in order to do so, he must remove two buildings already existing on his property. Supervisor Seiders made a motion to approve the removal agreement. Vice-Chairman Sheaffer seconded the motion. Motion approved.

Resolution 2009-007 Resolution for plan Revision for New Land Development – the secretary reported this planning module is for South Fairview Church. Apparently when they erect the pole building they are putting in bathrooms and they need DEP approval. Vice-Chairman Sheaffer made a motion to approve Resolution 2009-007. Supervisor Seiders seconded the motion. Motion approved.

Penner Plan – Supervisor Seiders made a motion to approve the Penner plan. Vice-Chairman Sheaffer seconded the motion. Motion approved. Mr. Penner will make sure the township receives a copy of the new deeds when they are completed.

UNFINISHED BUSINESS

1. Sewage Management Ordinance 2009-006 – The secretary pointed out that the ordinance states 3 year rotation for pumping and it should be 4 years. Marcus stated he would get that changed. Marcus reported that this is a requirement of ACT 537 so they can see if the systems are being maintained on a routine basis. Vice-Chairman Sheaffer made a motion to approve Ordinance 2009-006. Chairman Martin seconded the motion. Motion approved.
2. CMX Environmental Investigation Report – Chairman Martin reported that a company called CMX was hired by the township to investigate the allegations of asbestos seeping into the ground as a result of the demolition of the Centerville School. CMX did test borings of the ground and found no asbestos in the ground and they recommend putting an asphalt cap over the hole and put a paragraph on the deed concerning the asbestos situation. The report will be sent to DEP along with their recommendations. Supervisor Seiders made a motion to accept the report and send to DEP. Vice-Chairman Sheaffer seconded the motion. Motion approved.
3. CMX Well Remediation proposal – Chairman Martin reported CMX has submitted a proposal of \$1850.00 to determine the amount of contamination from petroleum there is in the well water and then come up with a cost estimate on how to correct the problem. George Rohrs pointed out that this contamination occurred prior to the purchase by the township. Supervisor Seiders made a motion to accept the proposal. Vice-Chairman Sheaffer seconded the motion. Motion approved.
4. Assistant Codes and Zoning Officer – Pat reported we only have one application and that is from Tim Knepp. The secretary was instructed to contact Tim to see if he was still interested and set up an interview. If this doesn't work out we will have to advertise again.
5. WCCOG representative – Chairman Martin pointed out with the retirement of the secretary, the township is in need of a COG representative. Vice-Chairman

Sheaffer made a motion to appoint Gary Martin as the rep. Supervisor Seiders seconded the motion. Motion approved.

NEW BUSINESS

1. Managing Winter Road and Street operations Seminar at PSATS – The secretary reported this is an evening seminar and is free of charge. There will be six attending: Jeff, Ron, Ernie, Gary, Amos, Ken.
2. Energy Audit – The secretary reported the County has grant money available for those interested in energy saving. The COG wanted to do this as a group application, but only Penn and Neville submitted any type of project and Penn doesn't have enough savings in a year to be eligible. The road crew made a listing of all the inside lights, outside lights and the traffic lights. If we made the switch to energy saving lights, we would save approximately \$500.00 a year. Chairman Martin suggested we do this on our own and he also stated we are going to make some changes in the outside lights.
3. Outside audit of 2009 books – The secretary pointed out that since the township is getting a new treasurer, there should be an outside audit of the current books. The cost would be \$7400.00 from Smith, Elliott and Kearns. Vice-Chairman Sheaffer made a motion for the outside audit. Supervisor Seiders seconded the motion. Motion approved.
4. Pension MMO for 2010 – The secretary pointed out that the law requires the supervisors be informed of their minimum municipal obligation for the pension fund. The MMO for 2010 is \$13,397.00 that is up by approximately \$3000.00 from 2009.
5. Release of Lauth Improvement Bond – The secretary reported she called John about this and his recommendation is the supervisors instruct him to go out and inspect the project and he will issue a letter of recommendation to the board. If everything is acceptable, the improvements bond can be released, however, the developer will then have to post a maintenance bond of up to fifteen percent of the improvements bond for a period not to exceed 18 months. Vice-Chairman Sheaffer made the motion to do what the engineer suggested. Supervisor Seiders seconded the motion. Motion approved.
6. TDOA account and CD – The secretary explained that due to the economy, we are no longer getting a good interest rate on this account. The new rate will be 1.31%. We also have a CD and when that comes due the township can put that money in this TDOA account and we will have access to ready cash rather than tie the money up in another CD. Supervisor Seiders made the motion to accept this proposal. Vice-Chairman Sheaffer seconded the motion. Motion approved.
7. Conflict of interest – the secretary pointed out that Fred Leeds has submitted a temporary resignation as zoning/codes officer and chairman of the Planning Commission. There may be an incident that involves a piece of property that adjoins a piece of his. Fred also pointed out that there is an illegal sign on Point Road that needs to be removed. Vice-Chairman Sheaffer made a motion to have the secretary send a letter to remove the sign. Chairman Martin seconded the motion. Motion approved.

8. PA Percs service agreement – Vice-Chairman Sheaffer made a motion to approve the service agreement. Supervisor Seiders seconded the motion. Motion approved.
9. Tick or Treat night will be October 29, 2009.
10. Reappoint Susan Whitesel to Park & Rec – Vice-Chairman Sheaffer made a motion to reappoint Susan Whitesel to Park 7 Rec Board. Supervisor Seiders seconded the motion. Motion approved.
11. Self-propelled broom – Chairman Martin reported we bought this broom in 2008 and we have had nothing but trouble with it since we bought it. Chairman Martin suggested the solicitor send the manufacturer a letter to either fix it or buy it back. Vice-Chairman Sheaffer made the motion. Supervisor Seiders seconded the motion. Motion approved.
12. Ron Tritt resignation – Supervisor Seiders made a motion to accept Ron's resignation from the Park & Rec and asst. zoning/codes officer. Vice-Chairman Sheaffer seconded the motion. Motion approved.

At this time the supervisors went into Executive Session to discuss personnel matters and some litigation issues.

After the Executive session the regular meeting was reconvened. Marcus stated that no decisions were made. The litigation issue was the storm water problem in the Henry development on Pine Road. There will be another hearing Nov. 17. There was also another issue of burning and burying construction materials. Marcus suggested sending him a letter with copies of the pictures asking him to pay a voluntary fine of \$500.00, and if he doesn't comply take to the district magistrate. The goal is for it not to happen again. Vice-chairman Sheaffer made the motion. Chairman Martin seconded the motion. Supervisor Seiders abstained from the vote. Two supervisors approved.

Chairman Martin also reported that Martha has decided that she doesn't want the secretary position, but she is willing to stay as treasurer. The resumes will be reviewed again for a secretary. Supervisor Seiders made a motion to approve Martha as the treasurer. Vice-Chairman Sheaffer seconded the motion. Motion approved.

PROJECT UPDATES

Bridges –FPE is working on the right of way easement calculations for the Lebo Road Bridge. They should be done next week.

Steve Fosburg was present to complain about the water not running all the way through at the Leeds Road Bridge. Chairman Martin explained that the soil on the eastern side is porous and if you dig further down in the stream you will see the water is running.

Chairman Martin stated that the waste hauling price is \$48.45 per quarter and he suggested adding \$1.00 to help offset administrative costs. Chairman Martin made the motion. Vice-Chairman Sheaffer seconded the motion. Motion approved.

SOLICITOR REPORT

Marcus reported that the taxes have been paid on the Fettrow property, but he is still looking into the foreclosure issue.

Henry hearing results – this was previously discussed.

Marcus passed out signed copies of the Key agreements and the Southampton Waste Hauling agreements.

OTHER REPORTS

WCCOG – COG meeting will be Monday.

Park & Rec – Vice-Chairman Sheaffer reported that Mike Swigert has submitted his Eagle Scout Project to the district office and is waiting for approval. He plans to plant 4 trees and repair the erosion damage. Voce-Chairman Sheaffer made a motion to approve. Chairman Martin seconded the motion. Motion approved. Vickie wanted to know who is paying for these trees. Chairman Martin reported that part of the project is raise funds to help pay for the project. Vice-Chairman Sheaffer stated he plans to sell starter trees to help offset the cost.

Vickie wanted clarification on the rumor that moving the playground equipment was top priority. She stated that before the equipment went in the park 7 Rec recommended east end and they were overruled by the supervisors. Now after it is in, you want to move it. Chairman Martin pointed out that the Park & Rec board was instructed to come up with a plan and nothing was said about moving the equipment was top priority. Vice-Chairman Sheaffer pointed out that the equipment is down hill and can't be seen and this is a good location for pedophiles. George Rohrs pointed out that parents should be supervising their children. Vickie was instructed to come to the Park and Rec meetings and discuss her concerns.

APPROVAL OF BILLS LISTING

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

SUPERVISOR COMMENTS – none

ADJOURNMENT

Supervisor Seiders made a motion to adjourn. Vice-Chairman Sheaffer seconded the motion. Motion approved. Meeting adjourned.

Budget workshop followed the meeting.
Next Meeting November 12, 2009

Respectfully submitted,

Patricia Sangialosi
Secretary/Treasurer