

PENN TOWNSHIP BOARD OF SUPERVISORS

1301 Centerville Road

Newville, PA 17241

Tel: 717-486-3104; Fax 486-3522

Regular Meeting

March 11, 2010

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

Present: Chairman Gary Martin, Vice-Chairman Ken Sheaffer, Supervisor Amos Seiders, Solicitor Marcus McKnight III , Secretary Tina McCommon and Engineer John Shambaugh.

PUBLIC COMMENT

Steven Bloom announced himself as a candidate for the 199th District.

James Furlas – Farm Road – commended the staff for the township newsletter, recycling and the waste hauling, but also commented on the DEP mandatory pumping of septic system every four years. Chairman Martin commented that approximately \$250.00 every four years is far more considerable than a sand mound at \$10,000.00 to \$15,000.00.

Sue Wolford – concerned about the sewer/water coming to Centerville. Chairman Martin stated we are attempting to get grant money. The cost is approximately is \$40,000 - \$50,000 per home. The warehouse made it accessible, but they are not required to bring it to Centerville.

APPROVAL OF MINUTES AND TREASURER'S REPORT

Supervisor Seiders made a motion to approve the minutes from the February 11, 2010 meeting. Vice Chairman Sheaffer seconded the motion. Motion approved.

Supervisor Seiders made a motion to approve the treasurer's report of February 28, 2010. Vice Chairman Sheaffer seconded the motion. Motion approved.

APPROVAL OF SUBDIVISIONS

NONE

OPENING OF BRIDGE BIDS

The opening of the bridge bids were as follows:

Kinsley Construction	\$752,000.00
Conewago Enterprises, Inc	\$892,519.00
J Beitz Enterprises, Inc	\$678,320.00
Lobar Site Development	\$679,844.00
Mar-Allen Concrete Products, Inc	\$799,635.00
Handwerk Site Contractors	\$699,275.00

Engineer John Shambaugh will review the bids for complete accuracy. The bid will be awarded on Thursday, March 18, 2010 at 8:00 am.

George Rohrs wanted to know if the contractor reputation/history will be taken into account. Marcus stated that it can be taken into account. Chairman Martin stated the price pertains to the demolition of the old bridge, setting of the new bridge, and back fill. It does not pertain to paving and landscaping. Marcus state the lowest bid being within \$21,000.00 is a good sign.

UNFINISHED BUSINESS

On-lot Management Ordinance – Vice Chairman Sheaffer reviewed the three comments from DEP. Chairman Martin made a reference to two ordinances that does not follow our number sequence. Chairman Sheaffer would like Engineer John Shambaugh to review additions. Mr. Fourlas questioned the right to enter property. Marcus stated we have the right to come onto the land but no right to enter premises without probable cause. Mr. Fourlas questioned about calling for inspection. The pumper will do inspection if there is a problem the SEO will be called. Chairman Martin suggested having Vince Elbel at the next meeting to answer any questions residents may have concerning the sewage pumping. Marcus stated that with Act 537 DEP sets how we are to do things. Local townships have to enforce the rules or DEP comes down on us. Vice Chairman Sheaffer made the motion to table. Supervisor Seiders seconded the motion. Motion tabled.

Zoning Ordinance Changes – Marcus stated now is the time and place to adopt changes for Penn Township. Zoning was initiated in 2006, revised in 2008, and now changes in 2010. The hearing was advertised to the public. Marcus asked if there were any comments from the floor and received none. Marcus asked for adoption of ordinance changes tonight. Vice Chairman Sheaffer made a motion to approve. Supervisor Seiders seconded the motion. Motion approved.

CMX – provided us with three recommendations. Two rounds of groundwater sampling, private wells be sampled or a passive recovery program. Chairman Martin stated his personal opinion as we need to move on this or do we want another opinion. Vice Chairman Sheaffer stated we need to have samplings done but it was not recommended when the tests need to be done. The socks' testing is the most effective – socks absorption needs to be done.

Vice Chairman Sheaffer wants clarification. Chairman Martin asked if we should have an alternative source – go back with questions and contact Whistler. Vice Chairman Sheaffer made a motion to table. Chairman Martin seconded the motion. Motion tabled.

NEW BUSINESS

Resolution for Road Classification – appendix to zoning ordinance 2006-003
Supervisor Seiders made a motion to approve. Vice Chairman Sheaffer seconded the motion. Motion approved.

Resolution for Turn back – state will grant the township ownership. Vice Chairman Sheaffer made a motion to approve. Supervisor Seiders seconded the motion. Motion approved.

Resolution for Brewer – new land development. Vice Chairman Sheaffer made a motion to approve. Supervisor Seiders seconded the motion. Motion approved.

Resolution for South Fairview First Church of God – new land development.
Supervisor Seiders made a motion to approve. Vice Chairman Sheaffer seconded the motion. Motion approved.

Roll-off Truck Fueling Policy – truck is provided to roll off recycling bins. We were receiving tax free fuel. That is no longer being provided to us and there is no other close fueling station. The individual municipalities are providing fuel for the truck. The township would be reimbursed for 70%. We are providing a service to residents to lower the trash costs, can we go the authority to ask for 100%. Supervisor Seiders made a motion to table. Vice Chairman Sheaffer seconded the motion. Motion tabled.

PROJECT UPDATES

Lebo Bridge – the bridge bids were opened earlier in the meeting. The right of ways will be an outright purchase for the same amount of \$1.00. The Fish Commission wants time to approve the contract. We want approval to start project.

Trash Hauling – less issues – mostly change of services. New billing statements will be out in April. Mr. Furlas stated it is saving money. The contract will be up for renegotiation in July 2011. George Rohrs asked about bulk clean up – could we contract for bulk items. We will talk to Southampton about bulk pickup. Marcus stated there is a chance we could see lower trash costs. Chairman Martin made comment that when they bid it was based on 60 lbs of trash, with the recycling it is down to 40 lbs. The cost is lower from the trash collector. Vice Chairman Sheaffer recommended that if we cannot afford spring cleanup maybe we could have the items brought to the township and we would deliver to landfill when the truck is full. George Rohrs commented that there is a risk of it becoming a dumping ground. Would it be possible to find additional funding to have two weekends (spring/fall) for township to collect bulk items? Vice Chairman

Sheaffer said he would rather they dump here than along the road. Chairman Martin suggested when purchasing bulk items – have them haul the old away.

Kirkwood – Vice Chairman Sheaffer estimated the cost to be approximately \$1200. An itemized invoice will be sent to Mr. Henry, but needs to be reviewed by John Shambaugh. Also will talk to Jeff about pipe. George Rohrs asked if the township will be responsible – John Shambaugh needs to be involved. Vice Chairman Sheaffer made a motion to approve. Supervisor Seiders seconded the motion. Motion approved.

SOLICITOR REPORT

Marcus commented on the sewage malfunction at 2627 Walnut Bottom Road. A letter was written suggesting within ten days they get the necessary permit. Marcus wanted authorization to file a complaint with Vivian Cohick if no response within ten days. Vice Chairman Sheaffer made a motion to approve. Supervisor Seiders seconded the motion. Motion approved.

There has been no response from the letter sent to 1032 Centerville Road concerning the violation of the burning ordinance. Marcus requested authorization to file a complaint with Vivian Cohick since no response has been received and the fine has not been paid. Vice Chairman Sheaffer made a motion to approve. Supervisor Seiders seconded the motion. Motion approved.

Reassessment Notices – Marcus had instructions on how the call for an appointment for the informal process that ends April 12, 2010. If you cannot get satisfaction from the informal process, then you can proceed to the formal appeal.

Park and Rec Board – an ordinance will be drafted to reduce the size of the Park and Recreation Board.

Rails to trails will extend from Newville to Carlisle/Carlisle to Shippensburg. Comment was made about farmers not being able to run equipment on the trail. Marcus stated that it can be made limited access.

OTHER REPORTS

WCCOG –

Commissioner Rovegno explained in detail the reassessment issue.

Outreach meeting – March 23, 2010 on storm water

Most municipalities are interested in being trained on Hazmat, AED and CPR. Goodwill Fire Co. will offer training for \$75.00 per person. Chairman Martin talked with Richard Fry – Big Spring School District - about possible training because he has several

trained CPR instructors. The cost would then just be for materials. The hazmat training would be separate.

ASSISTANT ROAD MASTER REPORT

Supervisor Seiders reported the township used 150 tons of salt this year compared to the 225 tons last year with having more snow than ice. Any problems or questions with snow plowing, residents need to talk to Supervisor Seiders. Feels the road crew did a good job with the plowing for as bad as the storms were this winter. After the snow melted the road crew went and swept the yards with the broom to clear as much debris from the resident yards as possible.

Will be starting to do tree trimming within the next week – slow down and be aware of the road crew working.

There will not be a lot of road repair due to the liquid fuel money being less this year. Once the Lebo Bridge is done, there may be money left over for road repair.

The fire company is asking for a dry hydrant being placed at the new bridge. It would be installed by the township under the direction of the Fire Chief Chris Alleman and Deputy Fire Chief Ernie Beecher.

MUNICIPAL ADVISORY REPORT

Vice Chairman Sheaffer stated the commissioners discussed the reassessment and how it works.

A representative was present to explain why the 800 MHZ systems are not working. The FCC issued a frequency to Verizon that was close to the 800 MHZ radio. It kept clashing and knocking the radios out. Received new ruling from FCC mandated there will be a separate frequency for Verizon. The radios will be replaced and Verizon will pick up the tab at no cost to the fire company. They think the problem is finally fixed.

PennDOT deputy secretary talked about corridor I mass transit. They are trying to make the bus transportation more efficient. Sixty-three percent is going to mass transit. There is talk about making Interstate 80 a toll road. Eighty-five percent of the traffic on Interstate 80 is truck traffic.

APPROVAL OF BILLS LISTING

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

ADJOURNED FOR EXECUTIVE SESSION

Meeting was reconvened and Marcus reported legal matters were discussed and Gregory Abeln is being retained as special counsel for \$200.00 per hour to represent Penn Township for potential litigation. Vice Chairman Sheaffer made a motion to approve. Supervisor Seiders seconded the motion. Motion approved.

SUPERVISORS' COMMENT

No comment from supervisors.

Fred Leeds asked about the conditional use hearing. Was not enough time with the required advertising. May look at moving the meeting dates for the planning commission and the board of supervisor meetings to be able to hold the hearings in a timelier manner.

Resident question about tearing down a farm house. Can they bury the stone and why not the wood? DEP details what is clean fill. Marcus suggested they contact DEP. DEP will give guidelines on what you can do.

ADJOURNMENT

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

Next meeting April 8, 2010

Respectfully submitted,

Tina McCommon
Secretary

