

PENN TOWNSHIP BOARD OF SUPERVISORS

1301 Centerville Road

Newville, PA 17241

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

Regular Meeting
April 8, 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 SEO Vince Elbel.

PUBLIC COMMENT

None

APPROVAL OF MINUTES AND TREASURER'S REPORT

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

Vice Chairman Sheaffer made a motion to approve the minutes from the March 18, 2010 special meeting. Supervisor Seiders seconded the motion. Motion approved.

Supervisor Seiders made a motion to approve the treasurer's report of March 31, 2010. Vice Chairman Sheaffer seconded the motion. Motion approved.

APPROVAL OF SUBDIVISIONS

Oral Cooper – estate being divided. Vice Chairman Sheaffer made a motion to approve to the plans. Supervisor Seiders seconded the motion. Motion approved.

Vice Chairman Sheaffer made a motion to approve the Non Building waiver to DEP for Oral Cooper. Supervisors Seiders seconded the motion. Motion approved.

UNFINISHED BUSINESS

On-Lot Management Ordinance- SEO Vince Elbel does the resident soil investigations, issuance of septic permits and inspections. Approximately 90% of the malfunctioning sewage systems could be resolved with scheduled mandatory pumping. The cost of a sand mound can cost between \$10,000 and \$15,000.00. Other alternative systems can cost \$15,000 and \$20,000. Most malfunctions are because the systems were

not pumped. Pumping your septic every four years is a cheap insurance policy. Mr. Fourlas wanted to know how many malfunctions have happened in the township and why does the pumping have to be every 4 years. Vince commented he has had one since last October, but the size of households change and a new system could mean a new suitable site that is not available on the property. Older homes have smaller tanks and newer homes have bigger tanks. Marcus compared it to not changing oil in your car.

Mr. Fourlas was hoping the township would consider a five year pumping cycle. DEP guidelines focus on a three to four year cycle. Vince stated that compared to price of new system, \$200 every four years is cheap insurance. Steven Moss brought up the idea of incineration toilets. It is operated with propane and is cost effective with no black water. Vince stated he has had a few inquiries about those systems. Supervisor Seiders stated with sand mounds if you do not pump regularly the solids will back up into the system and if you have to start doing repairs it's basically the cost of a new system.

Mr. Fourlas wanted to know if the inspections section will be taken out. Chairman Martin answered no. The system will be inspected by the pumper and if there is a malfunction Vince will be called. It is not a certification but an inspection. The systems will be pumped every four years based on the district, inspected and reported back to the township. The systems need to be pumped and inspected by December 31st of each year. If not done by November, a reminder will be sent. The owner of the property is responsible for the pumping to be done by December 31st or be fined.

Marcus stated the ordinance will be summarized and advertised in a paper of general circulation for adoption next month. Vice Chairman Sheaffer made a motion to approve. Supervisor Seiders seconded the motion. Motion approved.

Roll off Truck Fueling Policy – truck is provided to roll off recycling bins. Municipalities are no longer being provided tax free fuel. Originally were to be reimbursed 70% of the fuel costs. Asked for the authority to reimburse 100% of the fuel costs. As of the letter of March 29, 2010, the authority agreed to reimburse 100%. Vice Chairman Sheaffer made a motion to approve. Supervisor Seiders seconded the motion. Motion approved.

Centerville Well Remediation – Ken Whisler wants to check to see if there is any remaining diesel and if so propose to remove. Wicking is the most effective. He wants to look at the soil on top due to the water table going up and down. At this time Ken just wants to look at the area and review the information available to him and then will get back to the township. Vice Chairman Sheaffer made the motion for Ken to proceed to look at the situation. Supervisor Seiders seconded the motion. Motion approved.

Kirkwood – Vice Chairman Sheaffer visited the property. Mr. Henry rough cut the swale with a thin layer of topsoil and did nothing beyond the driveway where there is a high point. Vice Chairman commented that the soil is too wet to work. Kirkwood's stated that driveway is lower than the pipe and is washing the sod away. Vice Chairman Sheaffer worked an estimate for landscaping at \$2500 to regrade and taper approximately

1600 square feet not figuring the lowering of the pipe. Marcus commented they need to get the best estimate, send it to Mr. Henry and if he doesn't respond, do the work and charge him. It is the contractor's responsibility to do the work and it was done incorrectly. We have already gone after him and he did not show up. We need to make him do the work or we have to do it. The Kirkwood's answered that they wanted the township to do the work and wanted it done right. Vice Chairman Sheaffer commented that the problem needs fixed for both the Kirkwood's and the township. After a more involved discussion, Marcus stated it is a homeowner's dispute that has involved the township. The township will not become the general contractor. This is a homeowner/builder issue and we have been following the law and it is not working to their satisfaction. They need to get estimates for the work to be done by an outside contractor. Believes it is unwise for Mr. Henry to do the work and unwise for the township to do the work. Will forward written communications to the Kirkwood's notifying they need to get estimates and the township is not interested in doing the work. Vice Chairman Sheaffer made a motion to approve. Supervisor Seiders seconded the motion. Motion approved.

Park and Recreation Board Ordinance – Marcus stated it was not ready. Chairman Martin stated we will not need if we get six members. (applications pending) Chairman Martin stated to Marcus to table.

NEW BUSINESS

Resolution for Dale Hair – resolution for Ag Security Area. Supervisor Seiders made a motion to approve. Vice Chairman Sheaffer seconded the motion. Motion approved.

Fence at 234 Leeds Road – installed fence without zoning permit, zoning inspection, or township permit. Letter to be sent to the resident informing them of needed inspection and permits. Vice Chairman Sheaffer made a motion to approve. Supervisor Seiders seconded the motion. Motion approved.

Landlord Ordinance – Chairman Martin asked Marcus to draft an ordinance to make the landlord responsible for the trash, septic and junk accumulated by the tenant. Vice Chairman made a motion to authorize Marcus to draft ordinance. Supervisor Seiders seconded the motion. Motion approved.

Personnel scheduling adjustments – due to additional requirements with septic pumping and the trash the office hours will be increased. The schedule will be four days at nine hours per day. Tina McCommon will become a full time employee with benefits. Supervisor Seiders made a motion to approve. Vice Chairman Sheaffer seconded the motion. Motion approved.

With the resignation of Ronald Tritt, Ernie Beecher can also receive insurance through the township. Can provide all of this and still be under budget. Vice Chairman stated we are still coming in under budget saving \$9,000. Majority of the work that needs

to be done can be done with the crew we have without hiring at this time. Vice Chairman Sheaffer made a motion to approve. Supervisor Seiders seconded the motion. Motion approved.

Max Klein – Park and Rec App – interested in becoming a member of the Park and Recreation Board. Supervisor Seiders made a motion to approve. Vice Chairman Sheaffer seconded the motion. Motion approved.

Gary Martin – Park and Rec App – will be an active member on an as need basis for quorum. Chairman Martin abstained from vote. Vice Chairman Sheaffer made a motion to approve. Supervisor Seiders seconded the motion. Motion approved.

Park and Recreation Landscaping – recommended the Eric Diffenbaugh survey the park for an as built plan. Chairman Martin made a motion to approve. Vice Chairman Sheaffer seconded the motion. Motion approved.

Emergency Management – all full time hours, part time hours, equipment and materials costs were forwarded to PEMA for the February snow storms for reimbursement. Robert Kough asked for a resolution to be passed for him to be the authorized agent to deal with the reimbursement. Vice Chairman Sheaffer made a motion to approve. Supervisor Seiders seconded the motion. Motion approved.

Robert Kough also approached the board about the purchase of two portable radios. If the township would budget the two radios it would cost approximately \$5,000.00. One radio would be for the township coordinator and one for the deputy coordinator.

Call Box Number Changes – Chris Alleman needed a letter stating the township supervisors authorize the call box changes. The changes would result in the Newville Ambulance will respond to the entire township. It is a reorganization of resources. Vice Chairman Sheaffer made a motion to approve. Chairman Martin seconded the motion. Motion approved.

PROJECT UPDATES

Bridge – looking to install a dry hydrant with permission of DEP and the Fish Commission under the bridge permits. A dry hydrant may lower the insurance premiums for homeowners.

No stream work is allowed October through December. There is to be a meeting Monday at 10:00 at the bridge to coordinate with the contractor. Bridge cannot be demolished until June 15th, and will be completed by September 1st. It will be a prefab bridge. Lobar questioned bid, but the engineer looked for every reason for them not to do the bridge. He saw no reason to throw the bid out. Marcus responded with a letter to Lobar's attorney stating that reason.

Staff identification cards – looking at providing identification for employees that need to visit resident properties. Will look for software for this purpose and different resources available for ID cards. Bob Kough mentioned the possibility that the firehouse may have a program that could work for us. Will follow up on program with township.

Marcus thanked the fire company for their help with the Sunrise services.

SOLICITOR REPORT

2627 Walnut Bottom Road – Marcus asked for authorization to file a complaint on behalf of the Township with Vivian Cohick, none of the mail has been accepted, and is giving the impression no one is residing in the home. The fine would be \$750 plus \$300 for legal costs and the costs of filing. If there is no cooperation, can go to the maximum with the fines and be fined daily. George Rohrs asked if the property can be condemned. Marcus stated we can remove them from the property. Supervisor Seiders made a motion to approve. Vice Chairman Sheaffer seconded the motion. Motion approved.

Marcus filed suit against residents for violating the burning ordinance. They have not acknowledged any correspondence sent to them. Want authorization to file for a hearing. Vice Chairman Sheaffer made a motion to approve. Supervisor Seiders seconded the motion. Motion approved.

The fish commission may give us small amount of land. Description by engineer outlines right of way. If we have a deed it says we own the land. Which ever way the fish commission prefers that we own the land or the right of way, we will look at the quickest route for the township.

The assessment process – no more informal appeals. The deadline for informal appeals was April 12, 2010. The informal appeal process will give approximately two-thirds of the property owners a lower assessment. After the April 12th deadline, formal appeals will be in process.

CONDITIONAL USE HEARINGS

At this time there was a conditional use hearing.

After the conditional use hearing the meeting went back into session.

OTHER REPORTS

WCCOG – no meeting

Assistant Road Master Report – Normal work – lots of topsoil for sale from warehouse. Township agreed to purchase 150 truck loads. Can be purchased for \$30 a bucket and will deliver within the township.

April newsletter – Vice Chairman Sheaffer made a motion to approve. Supervisor Seiders seconded the motion. Motion approved. (Linda Piekut who spent a lot of time working with the newsletter is moving out of the area and will be missed.)

APPROVAL OF BILLS LISTING

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

SUPERVISORS' COMMENT

None

Comment from resident about the soccer net being flipped at the park – what to do if person is caught in act. Call the state police – do not restrain yourself. They can be charged with vandalism.

Robert Kough made a comment that while coming home one evening there was smoke towards Centerville. A resident on the Walnut Bottom was burning after dark. Robert stopped and told the resident he is violating the burning ordinance and stayed until the resident had the fire out.

ADJOURNMENT

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

Next meeting May 13, 2010

Respectfully submitted,

Tina McCommon
Secretary