

**PENN TOWNSHIP BOARD OF SUPERVISORS**  
**1301 Centerville Road**  
**Newville, PA 17241**  
**Tel: 717-486-3104; Fax: 717-486-3522**  
**Regular Meeting**  
**August 9, 2012**

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

Those present: Vice-Chairman Ken Sheaffer, Supervisor Amos Seiders, Solicitor Marcus McKnight and Secretary Vicki Knepp

**PUBLIC COMMENT**

None

**APPROVAL OF MINUTES**

Supervisor Seiders made the motion to approve the minutes from the July 5, 2012 meeting. Vice Chairman Sheaffer seconded the motion. Motion approved.

Supervisor Seiders made the motion to approve the treasurer's report from July 31, 2012. Vice Chairman Sheaffer seconded the motion. Motion approved.

**APPROVAL OF SUBDIVISION PLANS—**

Additional Parking Spaces at the Existing Warehouse - Vice Chairman Sheaffer stated that he and Supervisor Seiders had reviewed the plan and the Planning Commission has approved the plan. Jerry Gibboney, Jr. representing Burget & Associates explained that the requested parking is on the original, recorded plan but was never created. What they now plan to do is create that parking area. They made minor changes to the original plan in where the access would come out to aid in traffic flow.

**UNFINISHED BUSINESS**

Culvert Bid Opening – we received no bids.

Centerville School Oil Remediation – no report

Fettrow Property – The Solicitor is waiting on Fred's inventory of vehicles. Chairman Martin has VIN numbers off all vehicles. We will check with him when he gets back, but we need to know what is actually there now.

LeDane property – no change. LeDane is up for tax sale.

Stambaugh Property – Solicitor McKnight sent him a letter thanking him for meeting with Fred, Ken, Chairman Martin, Supervisor Seiders and himself and outlining the further steps he needs to take.

Freet Property – It is a little cleaner, there are pictures taken on August 8 in the laptop. Vice Chairman Sheaffer asked for recommendations. Fred said he honestly did not know what could be done to make the property better, besides tearing it down and starting again. The lot is too small. Vice Chairman Sheaffer asked if we had received any written or verbal complaints from the neighbors. Fred stated not recently, we had in the past.

Napoli Fence – Solicitor McKnight needs to follow up.

Gleim, Hays Grove – Mr. Gleim has been keeping us up to date by email. He seems to want to get things done and be in compliance.

Stone Property – Vice Chairman Sheaffer spoke with Tammy Duncan. She said they are working to get a car hauler to load up the vehicles and get them off the property.

Kinsler Property – Before weeds got really high there were still plastic bags. Property is up for tax sale and did not pump his septic tank. Solicitor McKnight is going to send a letter about all the issues. Vice Chairman Sheaffer made a motion to authorize the Solicitor to send the letter. Supervisor Seiders seconded the motion. Motion approved.

Salt Shed – Chairman Martin was communicating with the engineer. A & K Pole Buildings was the low bidder. There appeared to be one issue with their bid, but we did not hear from John on its status.

Liberator Fence Issue – There is still no fence. Solicitor McKnight wrote Mr. Liberator's attorney that he has had every opportunity to get the fence up and he has not. Solicitor McKnight has also filed suit against Mr. Liberator. Hearing date is Tuesday, October 2, 2012.

Septic Pumping – Solicitor needs to get letters out for the properties that did not pump their septic in 2011 as required.

Trash Delinquencies – The Secretary sent letters to the delinquent accounts on the list. We need to look at some of the old stopped ones and take action. The Secretary will compile a list for the next meeting and discuss with Chairman Martin.

Township Road Speed Limits –Solicitor McKnight stated now is the time and place for the adoption of the Ordinance Amending the Speed Limit on Hosfeld Road, Ordinance 1999-2. It lowers the speed limit to 25 MPH on Hosfeld Road. Supervisor Seiders made a motion to adopt the Ordinance. Vice Chairman Sheaffer seconded the motion. Motion approved.

Local Services Tax – Solicitor McKnight is getting the draft from Cumberland Tax Collection and will send to the Supervisors prior to the next meeting.

798 Mt. Rock Road – Solicitor McKnight is waiting on Bob Kough to do the inspection. After the inspection Solicitor McKnight will go to the County Commissioners.

Tire Removal Kennedy Property – The Secretary reported that PA Cleanways emailed her telling her that they are back on hold. Their funding would only pay to feed the volunteers. Mr. Kennedy does not have the funds for the security deposit on the trailer or to pay the fees for recycling the tires. There is someone looking at the property and if it is sold PA Cleanways will still provide the volunteers to clean it up.

## **NEW BUSINESS**

Gerald Brown Building Permit – Mr. Brown was present. The building permit stated the horse and pony must be removed. Mr. Brown stated that the horse is gone. He still has the pony and the goat. Fred stated that by rights the pony has to go because the pasture is on 80' x 80'. The Department of Agriculture, DEP, County Conservation and Zoning say these are requirements you have to meet. Vice Chairman Sheaffer asked if the neighbors are complaining. Can we get the neighbors to sign off giving permission? Solicitor McKnight suggested we send Mr. Brown to the Zoning Hearing Board to get permission. Solicitor McKnight asked if the Supervisor's would be willing to waive any or all of the \$1,000 hearing fee. Vice Chairman Sheaffer stated that the fee is to cover expenses, advertising, court reporter, etc. The fee is based on the past experience with the cost of the hearing. Mr. Brown stated that he spoke with a Supervisor who said he did not think the pony was a problem. Fred stated that this is going to be a recurring problem. We need to have a procedure established. Solicitor McKnight suggested we contact Kristen Kitchen at Soil Conservation and get her recommendation. We would like to avoid a Zoning Hearing if at all possible. Mr. Brown is to get written permission from his neighbors. Solicitor McKnight will contact Kristen Kitchen and request her recommendation on the situation. Vice Chairman Sheaffer made a motion to table until next meeting. Supervisor Seiders seconded the motion. Motion approved.

Cumberland County Association of Township Officials Annual Convention – Convention is October 4, 2012. Vice Chairman Sheaffer made a motion authorizing the Secretary to send the reservation for up to eight people to the Convention. Supervisor Seiders seconded the motion. Motion approved.

Old Furnace and Air Conditioning Unit – The unit was used in the Township building for about a year. It is undersized for the building. The unit was advertised for bid but no one bid on it. Chairman Martin has someone interested in purchasing the unit for \$400. Since it was put up for bids once and we did not receive any bids we can sell it for whatever we want. Mr. Brown expressed an interest in the unit. He would like to take a look at it. Vice Chairman Sheaffer made a motion to table the sale of the unit until next meeting. Supervisor Seiders seconded the motion. Motion approved.

## **CORRESPONDENCE**

None

## **PROJECT UPDATES**

We are waiting to hear from John Shambaugh about the salt shed.

## **SOLICITOR REPORT**

Solicitor McKnight reported that John McCrea has started the lawsuit over again with a new complaint. He will get together with the School District Solicitor to respond to it. If he needs a signature he will contact Chairman Martin. The problem was that he had not sued the landowner.

Solicitor McKnight reported that he has the written decision for the Terry Ann Taylor Conditional Use Hearing. The Supervisors need to sign it since it was already approved. It is conditioned upon Ms. Taylor obeying all the Ordinances of the Township and State and any expansion has to be approved by the SEO.

Biosolids – Solicitor McKnight reported that the company spreading the biosolids is Merrell Brothers from Indiana. They were supposed to fly in for a meeting with him today but their flight got cancelled. They will be rescheduling. Basically what has happened is even though they are denying responsibility; they have agreed to pay for a system to correct Hairs' water. The problem is that there are two other properties near the Hair property that also have bad water and there is possibly one other. He believes that if the pollution has spread beyond the field it is because the runoff has gotten into the aquifer underneath the field. The evidence at the Hair property was that the inside of their trailer suddenly smelled like the field. The publicity on channel 27 has caused the Merrell Bros. to lose business. That is why they are concerned about trying to find ways to fix the properties. The problem is DEP wears two hats, they approve the biosolids coming onto the farm and when things go bad they are the same body that investigates what they have already approved. Vice Chairman Sheaffer asked if there are any measures that we can take to prevent this from happening in the future. Solicitor McKnight suggested we put a letter in with DEP stating that we are opposed to any future spreading of biosolids on the fields and that we be notified in advance if there is even a consideration for a permit in the Huntsdale area. The Solicitor will continue to work with the residents as long as the Supervisors continue to authorize it.

## **OTHER REPORTS**

COG Meeting – There will be no meeting in August. There is a new inspector. An informational meeting will be held with him on Wednesday, August 15 from 10:30 – 12:30 at West Pennsboro. The COG Secretary has resigned effective the end of the year, they are looking at new applicants if anyone is interested.

Park & Rec – no meeting. The Pavilion is being used this weekend. Big Springs requested the use of the soccer field, the letter was forwarded to the Secretary of Parks and Rec.

Zoning Officer

Rudisills Trailer at 159 Beetem Hollow Road – The Secretary sent them a letter asking the Rudisills to let her know the status of the construction. She asked to be notified no later than July 30, 2012. The Rudisills have not responded. Solicitor McKnight will send a letter stating he wants to hear from them. Vice Chairman Sheaffer made a motion to authorize the Solicitor to send the letter. Supervisor Seiders seconded the motion. Motion approved.

McLaughlin Property – Fred stated we need to take action. The Treasurer had told Chairman Martin the driveway was there before Zoning went into effect. Fred stated he still needs a driveway permit. Driveway permits were required before Zoning and Mr. McLaughlin was informed of that. He is ignoring it.

Church Road – Fred stated this was another issue that needed to be closed. What is happening there? Chairman Martin was going to talk to them. We need to wait until he returns. George Rohrs reported that he went by and there was a huge burn pile with many bags of garbage thrown into the pile, it was not burning at that time. Several days later he passed and it was smoldering on a Sunday. He does not know if the bags were removed.

## **APPROVAL OF BILLS LISTING**

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

## **SUPERVISORS' COMMENTS**

None

## **ADJOURNMENT**

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

## **NEXT MEETING September 6, 2012**

Respectfully submitted,

Vicki Knepp  
Secretary