

**PENN TOWNSHIP BOARD OF SUPERVISORS
1301 Centerville Road
Newville, PA 17241
Tel: 717-486-3104 Fax: 717-486-3522
Regular Meeting
September 12, 2013**

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

Those present: Chairman Gary Martin, Vice Chairman Ken Sheaffer, Supervisor Amos Seiders, Solicitor Marcus McKnight, Treasurer Martha Sheaffer and Secretary Vicki Knepp.

PUBLIC COMMENT

None

APPROVAL OF MINUTES

Vice Chairman Sheaffer made a motion to approve the minutes from the August 8, 2013 Regular Meeting. Supervisor Seiders seconded the motion. Motion approved.

Vice Chairman Sheaffer made a motion to approve the Treasurer's Report from August 31, 2013. Supervisors Seiders seconded the motion. Motion approved.

APPROVAL OF SUBDIVISION PLANS

Warren Nolt – The Secretary reported that after the last BOS meeting Mr. Nolt and Mike Wadel contacted the Fahnestocks about the dedicated 50' right-of-way. The Fahnestocks were not in favor of it; in addition they contacted Cumberland County Agricultural Land Preservation Board and found out that because their farm is preserved they cannot do it. We have a copy of a letter from the Preservation Board to the Fahnestocks saying it cannot be done and a letter from the Fahnestocks saying that they would like to have the access to Mr. Nolt's property remain the way it is. They do not want a specified width. Chairman Martin asked if it was written into the deed. The Secretary stated yes. Vice Chairman Sheaffer stated he has no objection to them using it the way it is. The only problem he can see is if somewhere down the road someone else owns the Fahnestock property and has a falling out with the Nolts. The Solicitor stated that right-of-way issues are the most difficult to resolve. If the Nolts are willing to live with what they have he believes we can grant them the necessary waivers to proceed. We would send a similar letter to the ones we have been sending for the septic exceptions. Chairman Martin suggested that they grant a right-of-way of 17 feet which is the current narrowest section of the driveway. The Secretary stated that their first step would be to apply for a subdivision. She will make sure the Planning Commission has copies of the letters so that they are aware of the obstacle to the 50' right-of-way. The Secretary will have a conversation with Mike Wadel and let him know the Supervisors are looking favorably at it.

Key Logistics – Jerry Gibboney of Burget & Associates was present to discuss the changes that the property owners would like to make at the Office Depot warehouse.

He passed out copies of the plan that was taken to the Planning Commission in August. The Planning Commission had approved it on the conditions that they satisfy the Engineer's comments: 1) The Storm Water Management Plan should contain a statement signed by the landowner acknowledging the stormwater management system was a permanent facility, 2) An expected project time schedule be submitted. Those have been done. In addition the Planning Commission requested that a comment be placed in the General Notes on the plan to say: The proposed pond expansion will add 1100 cubic yards of volume to the pond at the 714.00 berm elevation. This has been added to pages 5 – 7 of the plan. They have met the Engineer and Planning Commission contingencies. They are awaiting the Soil Conservation District approval, which is in the works. Mr. Gibboney explained the reason for the changes. He stated that there is a road that goes completely around the Office Depot building. The rear half of the building is leased by Office Depot and the front half is vacant. The owners are having problems getting people to sign a lease there because there is no security. The Office Depot trucks drive in and out and would be driving through the trucks of any tenant in the front part of the building. They propose a road that will circle the outside of the parking lot to keep the Office Depot trucks out of the secured area of whoever leases the front. This is for loss prevention. Chairman Martin stated it was his understanding that it is required by Homeland Security for any company that has anything to do with defense. Because they are putting the road in, they have to push the berm back and in order to offset the volume of water that is taken away by pushing the berm back they have to dig out. Chairman Martin asked if there were any sinkholes in the retention ponds. Mr. Gibboney stated to his knowledge, no. He walked the whole area in the spring. The Secretary stated the Engineer dropped off a letter that confirms that the stormwater management plan for the revised roadway construction is adequate and meets requirements. Vice Chairman Sheaffer made a motion to approve the plans conditional to the approval of the Soil Conservation District and that the conditions set by the Planning Commission and the Engineer are met. Supervisors Seiders seconded the motion. Motion approved.

UNFINISHED BUSINESS

Trash – The Secretary stated that she has a new list but there is no one on the list who is more than two quarters. There is one resident on the list who has had her service stopped several times. The Secretary asked if she can make someone use bags. The Solicitor stated that it can be suggested that she goes to bags but we cannot make her do so.

Septic – 131 of 289 have been pumped.

Danatech Estimate – We have looked into a panic system for t the Secretary or office staff. We received an estimate from Danatech for three wireless fobs and strobe lights of \$545.00 plus an additional \$5.00 monthly monitoring fee. We need to talk to Cy for clarification of exactly what we would be getting and what it would do. Chairman Martin made a motion to approve. Vice Chairman Sheaffer seconded the motion. Motion approved.

Non-Traffic Citation Ordinance – The Solicitor stated he is working on this and will have it for next meeting.

Animal Ordinance – Chairman Martin will review South Newton’s proposed ordinance. Chairman Martin made a motion to table to next month. Vice Chairman Sheaffer seconded the motion. Motion approved.

Noise Ordinance – Our current ordinance is unenforceable. It takes some equipment to enforce. The Solicitor stated he has received emails from the Planning Commission on this subject. Chairman Martin suggested he speak with them and the need to add something about lighting leaving the property, also. We should look at our existing Nuisance Ordinance and see if it needs updated at the same time. Vice Chairman Sheaffer stated if we are going to do a noise ordinance we need to invest in equipment to enforce it. Table until next month to do more research.

Zoning Ordinance – We adopted part last month. We need to readvertise for the balance of the changes. The Solicitor suggested we look and see if noise and lighting could be added to this.

Tires at 208/218 Leeds Road – The current owner is selling the property. The new owner is Mr. Horst from Church Road (he has the landscaping business). He is going to take over the job of disposing of the tires himself. He needs to contact us to their plans so we know what we need to do with PACleanways.

NEW BUSINESS

Per Capita Tax – This was discussed at a previous meeting, but not all Supervisors were in attendance. The County will no longer be printing the per capita tax bills because they are no longer able to charge a per capita tax due to their change in status. It looks like it will cost us as much, if not more, to print and mail the tax bills and pay a collection fee. We will also be responsible for tracking all the people moving in and out of the Township so it will never be 100% accurate. Chairman Martin made a motion to eliminate the per capita tax. Vice Chairman Sheaffer seconded the motion. Motion approved. Motion approved.

Local Services Tax – Treasurer Sheaffer reported that we have received one payment for the LST, for the first quarter. We have not received anything for the second quarter yet. How are we to distribute the funds to the fire company? Chairman Sheaffer asked if we are getting the total amount. The Treasurer replied yes. Chairman Martin stated that the question is, do we want to give the fire company a lump sum or do we want to give it to them quarterly? The Solicitor stated we should give it to them quarterly. The other question is, do we split before the collection fee or after the fee. After the fee. Chairman Martin asked if Unilever was in the first quarter payment. The Treasurer stated no, she has spoken with the tax bureau and they are checking into it. We should be getting the payment soon. Chairman Martin stated if they have not paid for the first two quarters we need to contact them.

Centerville Road Spring – Chairman Martin stated that a gentleman from Cooke Township had the spring water tested. It has 50 Coliform and 10 Ecoli. It is not fit for human consumption. Chairman Martin stated his question is since it is a state road and the spring is on private property if someone gets sick who would be liable? The Solicitor stated it is not us. Chairman Martin asked is it the homeowner? He is going to speak with them. We have a sign ordered. The Solicitor stated to get the homeowner’s permission to put it on their property and take a dated photo of the sign to show we did it as a public service. We will not be responsible for any additional signs.

Verdekal – The Secretary stated that in 2006 Pat issued a permit for Albert Verdekal to put a mobile home on a lot that did not meet zoning. The Verdekals were made to have a conditional use hearing. It was the second principal structure on the lot. They were given a five year deadline to get their new house build and the mobile home removed, which they did not do. The mother/grandmother passed away earlier this year and now there is a family squabble over this land. The gentlemen with the mobile home requested an extension in June. He was granted a six month extension until they get the property subdivided. What he neglected to tell us was that 10 acres have been subdivided off for him for a home; this is not where the mobile home is. Now the other side of the family is asking for information. The Secretary asked if the other half of the family needs to complete a right-to-know request before she turns the information over. The Solicitor said it would be a good idea. Then one side can't say that we are favoring the other side. Chairman Martin stated that the issue is he moved this mobile home onto a location where there had once been another mobile home so there was a well and septic there. He stated that he thinks that they are either going to have to subdivide to annex this onto his land, or they are going to have to move the mobile home.

Budget Workshop – The workshop was set for Tuesday, October 8 at 8:00 AM.

CORRESPONDENCE

PennDOT Letter – We received a letter from PennDOT telling us that the weight limit has been reduced on the bridge located on SR 0174 at segment 0150 offset 2274. We have figured out this is on Walnut Bottom Road near the intersection with Pine Road. The weight is being lowered from 40 tons to 35 tons. We have to supply and post the signs even though it is a state road.

PROJECT UPDATES

South Side Culvert – Chairman Martin stated he will be speaking with the Engineer Monday night. He is looking at remedial measures for the culvert.

Maintainer –We have found a maintainer in York and have made an offer for it. They are supposedly preparing the paperwork to sell to us. It will be ready the 20th and Stephenson's will start servicing it on the 23rd. Chairman Martin stated it is in like new condition, it was only used a couple of times and then pulled in and parked for 20 years. A new one costs \$110,000. We are buying this one for \$10,500. It is a pretty good deal. We also purchased through sealed bid a 20,000# trailer from North Newton Township to haul it.

Monitor – the new monitor is installed in the meeting room and working.

Flagpole – Some of the parts for the flagpole are in, we are still waiting on the ground sleeve. It is supposedly on the way.

Lights at the DJ's Office – every single outside light at the DJ's Office is out. We have purchased new LED lighting and they will be installed with individual sensors on each one sometime next week.

SOLICITOR REPORT

Fettrow – Letter was sent about mowing and asking what her plan was for the property and was she going to pay the fines. She said she would pay the fines in installments and would get the grass mowed. The Solicitor says he plans to send her a judgment note for the amount owed. The vehicles are gone and the tires are out of sight.

2258 Pine Road – A letter has been written to the mortgage company and the servicing company stating that the tree needs to be removed and reminding them of the money they already owed for work done on the property.

Hodecker – A letter has been sent to Mr. Hodecker regarding his business. He was given until September 22 to respond to the codes officer about getting a permit for his business.

LeDane – A complaint has been filed against Mr. LeDane again. This time for \$1,050.00 Fine and Fees.

1032 Centerville Road – The resident has contacted the codes officer and they will be meeting on September 18, 2013.

OTHER REPORTS

WCCOG – Chairman Martin stated they had a very interesting COG meeting. They were chewed out by a property owner in West Pennsboro Township who bought a half built house and the walls are caving in. This happened six years ago. He wanted MDIA's inspection reports and checklists. The only way to be sure is to have an inspector there all day. Bonnie Mahoney, Chief Assessor was there to talk about her duties and how they can assist the municipalities. Vector control trapped 417 mosquitoes, 15 tested positive for West Nile. No human cases have been reported. Rep. Bloom stated 2 prevailing wage bills are coming up for consideration. Trying to make them prior to the transportation bill. If you have any electronics to be recycled you can look at Dickinson's website, they have a full list of places to go. Tractor Supply is moving into the old Kmart store in Shippensburg. The County Planning Department is moving to 310 Allen Road on July 23. County Dispatcher Bill Vaughn was recognized for providing life saving pre-arrival medical instructions for an infant in severe respiratory distress. His actions played a crucial role in the child's survival. September 26 Rep. Bloom will have a Coffee and Conversation at the Dickinson Township Building at 8:00.

Zoning Officer – Tim Knepp – Was not able to attend the meeting. The Secretary went over his report. There were 3 permit applications since the last meeting 2 were approved, one was denied. There were 6 Complaints:

12 Kutz Road, by the Road Master that the homeowner had planted trees in the Township right-of-way and a swale. The homeowner has moved the trees and Tim spoke with her and let her know the current location is fine.

1622 Pine Road – we have received a complaint that there are several unlicensed vehicles on the property. A neighbor has complained. The husband has moved out and the wife has asked him to remove them but he refused. The Codes Officer recommends that the Secretary send a letter to the husband telling him he needs to remove the vehicles. Vice Chairman Sheaffer made a motion to authorize the Secretary to send the letter. Chairman Martin seconded the motion. Motion approved.

1160 Centerville Road – Numerous complaints from the neighbors and every time someone has gone out to check there has been nothing. However, this time there were numerous appliances and junk. It is recommended that a letter be sent to Mr. Brown telling him to clean up. Chairman Martin made a motion to have the Secretary send a letter to Mr. Brown. Vice Chairman Sheaffer seconded the motion. Motion approved.

921 Mt. Rock Road – The neighbor at 909 Mt. Rock Road has complained that there is a tree blocking his line of sight pulling out of his driveway. It appears that the tree is in the state right-of-way. The Solicitor stated that a letter should be sent to District 8 PennDOT. Vice Chairman Sheaffer made a motion to authorize the Solicitor to notify PennDOT. Supervisors Seiders seconded the motion. Motion approved. The Secretary will send the information to the Solicitor so he can notify PennDOT.

157 Beetem Hollow Road – There are multiple unlicensed vehicles, debris, tires, and junk strewn about the property and weeds. There is also evidence of illegal burning. Chairman Martin stated that he walked around the property with Tim for quite a while and saw numerous violations; he believes that only one of the vehicles is licensed. There have also been complaints about hogs in the past, but there was no evidence of hogs this time. The Solicitor stated that Mr. Burkholder has issues, including a divorce. The codes officer recommends that the Solicitor send a letter. Vice Chairman Sheaffer made a motion to have the Solicitor send a letter to Mr. Burkholder. Supervisors Seiders seconded the motion. Motion approved.

Updates: 5B Kutz Road – Mr. Little has moved some things he has mowed and is making progress on getting things cleaned up.

Fettrows – grass has been mowed, property is looking much better.

2105 Pine Road – the grass/weeds have been cut.

APPROVAL OF BILLS LISTING

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

SUPERVISORS' COMMENTS

Supervisors Seiders made a motion to have the Solicitor send a letter to the owner of the water cress farm about the weeds. Vice Chairman Sheaffer seconded the motion. Motion approved.

ADJOURNMENT

Chairman Martin made a motion to adjourn. Vice Chairman Sheaffer seconded the motion. Motion approved.

NEXT MEETING October 10, 2013

Respectfully submitted,

Vicki Knepp
Secretary