

**PENN TOWNSHIP BOARD OF SUPERVISORS
1301 Centerville Road
Newville, PA 17241
Tel: 717-486-3104 Fax: 717-486-3522
Regular Meeting
January 6, 2014**

Chairman Martin called the meeting to order and dispensed with the Pledge of Allegiance, since we had just pledged at the Reorganization Meeting.

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 December 12, 2013 meeting as changed by Chairman Martin. Supervisors Seiders seconded the motion. Motion approved.

The Solicitor requested that we do not approve the minutes from the December 19, 2013 Special Meeting, that we table these minutes until the February meeting so that he can compare them with the Developer's Agreement. Vice Chairman Sheaffer made a motion to table the approval of the Special Meeting minutes. Chairman Martin seconded the motion. Motion approved.

Chairman Martin reported that for 2013 we had a surplus of \$116,079.65. Chairman Martin made a motion to approve the Treasurer's Report from December 31, 2013. Vice Chairman Sheaffer seconded the motion. Motion approved.

APPROVAL OF SUBDIVISION PLANS

Nolt Spetic Module - The Secretary reported that the Planning Commission has forwarded the Septic Module for the Nolt Subdivision for approval. There are still one or two items to iron out for the subdivision, but she would like to start the process with the Septic Module since it can take DEP a while to complete their review. Vice Chairman Sheaffer made a motion to adopt Resolution 2014-006 for the septic module for Warren & Alice Nolt. Supervisor Seiders seconded the motion. Motion approved.

UNFINISHED BUSINESS

Trash Delinquencies – The Secretary reported that the list is rather long since Southampton just sent out bills last week. However, she would like permission to send out letters around the 15th of the month giving any delinquent accounts until January 31, 2014 to pay their bills or service will be stopped. Vice Chairman Sheaffer made a motion to approve the Secretary sending out letters. Supervisor Seiders seconded the motion. Motion approved. She reported that last quarter all the delinquent accounts paid.

Septic – The Secretary reported that of the 291 systems that needed to be pumped in 2013, 212 or 73% have been pumped. She would like permission to send letters to the residents that have not pumped their systems yet telling them they have until March 31 to get them done or legal action will be taken. Vice Chairman Sheaffer made a motion to authorize the secretary to send the letters. Supervisors Seiders seconded the motion. Motion approved. The Secretary stated we received an email from the Bowers on High Mountain Road requesting that they have their septic pumped at less frequent intervals. The Solicitor stated that we do not have a choice; it is a State mandate. We pushed it as far as we could by making it four years instead of three. The Secretary stated that she has sent 2014 Hauler registrations to everyone on the approved list. She has received completed registrations back from everyone but D & D Septic in Carlisle and Baymont One Call in Dillsburg. She asked if she should remove them from the list or send a reminder. The Solicitor stated that she should send them reminders and let them know if they do not reply they will be off the list and will not be permitted to pump in the Township.

Hodecker – The Solicitor reported that he sent a letter to Attorney Brenneman about Mr. Hodecker’s “sawmill operation”. He enclosed a copy of Section 1263 Sawmill Operations from the Zoning Ordinance. The saw machinery has to be 100 ft. from any property or street line. The Solicitor believes that moving the machinery 100 ft. should help solve the problem. Vice Chairman Sheaffer stated that the access is right along the property line and the Ordinance states 250 ft. The Solicitor stated this will give the Codes Officer something to work with.

Warehouse Trucks – Chairman Martin stated that he has spoken with the State Police. They are going to give him information on the number of incidence they have had with trucks missing the entrance to Key Logistics and turning around in the middle of the road, people’s yards and citations they have written.

Hammond/Brandt – The Solicitor stated that he was instructed to file for trash and unlicensed vehicles against Shelly Brandt and Dale Hammond of 1868 Walnut Bottom Road. The Secretary reported that it should have been Michelle Brandt and Dale Hammond of 1032 Centerville Road for too many unregistered vehicles on the property. The Solicitor stated he will amend the filing. The hearing is February 19 at 2:00 PM.

NEW BUSINESS

West Shore ALS – Assistant Chief Douglas Bitner of the Chambersburg Division of West Shore EMS addressed the meeting. He stated that he hoped to clear up some of the confusion regarding the ALS Medic status for our area since Shippensburg has put on their own Medic unit. The plan is for the West Shore medic unit to remain housed in its current location in Shippensburg and respond as a chase unit to cover Penn Township and other

rural areas outside of Shippensburg. There are no plans to remove that unit from service. If in the future it is not self sustaining they will have to come back to discuss finances to continue to do so. He asked if there were any questions. Both the Solicitor and the Secretary stated that they have questions. The Solicitor stated that someone in Shippensburg was trying to develop their own ALS service. Chief Bitner stated that was correct. The Solicitor asked if that is different from what the Chief had described or if West Shore was still teamed with them? Chief Bitner explained that West Shore is renting office and garage space from Shippensburg EMS, the ambulance company in Shippensburg. As of today Shippensburg is responding as a basic life support ambulance or a paramedic unit in Shippensburg Borough, Southampton Twp Cumberland County, and South Newton Township. The Solicitor asked who people apply to if they want to get a membership that covers ALS. The Secretary stated that was her question also, Newville Ambulance did not include an ALS membership in with their membership this year. Chief Bitner stated there are memberships available. He stated it is done differently in different areas, some ambulance services include ALS in their memberships and some do it separately. Memberships will be available. The Solicitor stated that it is very important for West Shore's entire coverage area that they offer ALS memberships. Mabel Stitt stated that she has been fighting with Newville Ambulance for two years. They do not send her a membership because she has a Carlisle address. She ends up going over and getting the forms herself. Vice Chairman Sheaffer stated he is the same. Because his address is Carlisle, Newville Ambulance does not send him a membership, even though that is who will come if he needs an ambulance. Chief Bitner stated a third party is involved in sending out the mailers. The Secretary stated she will email Chief Bitner the newsletter mailing list to enable West Shore ALS to send out membership mailers to Township residents. That should cover every residence in the Township. Chief Bitner stated that as long as we keep West Shore ALS as our assigned service provider, we will continue to receive ALS service out of the Shippensburg area. Chairman Martin and Solicitor McKnight invited Chief Bitner or another representative of West Shore ALS to attend the WCCOG meeting to discuss this with the other representatives of the Western Cumberland municipalities.

AED for DJ's Office – Chairman Martin stated that last month we voted to purchase an AED for the Township Building. Last week we had training in house. During the training it came up that it might be wise to invest in an AED for the DJ office. Our job is to provide for the health, safety and general welfare of our residents, he thinks we should extend that to people in the Township on business. Sometimes it becomes very stressful at the DJ's office. The Judge is in favor of it. For approximately \$1,200.00 if one life is saved it is well worth it. Vice Chairman Sheaffer made a motion to purchase an AED for the DJ's office. Supervisor Seiders seconded the motion. Motion approved. The Secretary reported that she is helping Tim Knepp to prepare a grant to try to get AEDs for all the churches in the Township. This would be done in the fire company's name.

New Dump Truck – Chairman Martin stated they have been discussing getting a new dump truck. One of our trucks is a 2000 the other a 2003. The 2000 had significant frame damage last year that it was a significant amount of money to repair. The fuel tanks are rusting out, it runs fine, but if it would break down tomorrow we would be in trouble. He recommended that we look into a new truck. The current estimate is about \$140,000.00. It will take about 8 months to get. The Road Master has looked over the various models available and he recommends getting the Freightliner, simply because of the features that it has. It has a cheaper bed than the J & J model and still has all the stainless steel capabilities. We would be able to use the existing snow plow and would have all the features that the

current ones do. Vice Chairman Sheaffer reported that the Road Master stated that if we wanted, we could still keep the old truck around to haul macadam. Chairman Martin stated we talked about selling it or keeping it for the dirty work, but we have 8 months to decide what to do with it. Vice Chairman Sheaffer made a motion to purchase a new truck. Chairman Martin seconded the motion. Motion approved.

Adjourned for a short recess so Secretary could see if the Codes Officer was available.

Meeting reconvened. The Secretary reported that the Codes Officer would be unable to make the meeting.

Burkholder – The Solicitor stated that we had received some complaints about his property being non-compliant with the junk ordinance. The Codes Enforcement Officer investigated the complaint and said there were some issues. He discussed with Mr. Burkholder what he needed to do to clean them up and Mr. Burkholder started to clean them up, but then he took another delivery of junk and it got worse, causing the Codes Officer to become concerned. The Solicitor asked Mr. Burkholder what his business was that caused more junk and debris to appear. Mr. Burkholder stated he had discussed that in depth with the Solicitor. It is what he does to pay his taxes, pay his trash bill; it is part of his income. It has been and will continue to do so. He stated no one on the Board can see his property. If you drive up and down 233 you will see people in violation. Chairman Martin stated we received a complaint on his property. By law, when we receive a complaint we have to act on it. If we get complaints about other properties we investigate them. We do not go out looking for violations. We don't police things. We are just trying to address his now. Mr. Burkholder stated some comes in, some goes out. Chairman Martin stated that when he was at Mr. Burkholder's property with the Codes Officer there appeared to be illegal burning; there was debris and litter strewn throughout the property. There are tires piled in the woods that collect water and breed mosquitoes. Mr. Burkholder stated the tires were for his registered trailers. Chairman Martin informed him that the tires must be stored inside, covered or in some way stored that they do not collect water where they breed mosquitoes, we are not telling him to get rid of the tires. The debris on his property is blowing off onto the neighbor's property. The grass that is growing up did not appear to be mowed for quite awhile. We are just asking him to do a little policing of the property. We understand if his job is to bring in things and tear them down before taking them out. However, some of the stuff appears to have been there for quite awhile. We are just asking for him to clean things up. Take care of the things that are health hazards to the neighbors, take care of things that degrade the neighbors' property values. We do not want to interfere with his business and his life. Mr. Burkholder stated that he had wanted the Codes Officer at the meeting because he (Mr. Burkholder) had received an unwanted visit from a Game Officer who had received a call from the Codes Officer about a white deer with a white tag; it was a sheep not a deer. Mr. Burkholder wanted to know when anyone from the Township has the right to authorize that his compost pile on his property be disturbed. Mr. Burkholder stated his neighbors have found a new puppet that they can complain to. Chairman Martins stated that all we are asking him to do is police the property to keep things from blowing onto his neighbors' property. Mr. Burkholder stated that he owns the property on both sides of the driveway; it can't blow onto the neighbors. The Solicitor stated it does not matter if it gets there or not. When we go out to investigate, if you have issues you have to work with the Codes Officer to clean it up. If you won't clean it up, we have to go to the Magistrate. We thought we were making progress and suddenly it stopped and Mr. Burkholder is acting like we are puppets of somebody. We are not. We go out; we

look, if we see there are violations we expect them to get better. Chairman Martin told Mr. Burkholder as long as he understands what we want and works toward that, we are going to work with him. We want to see progress and we want to see his property cleaned up so that it does not impact his neighbors. This is all we are asking. The Solicitor stated there is no reason the tires cannot be under a tarp. Mr. Burkholder stated he will put the tires under a tarp. He does not want anyone coming onto his property without notification. The Codes Officer has his cell phone. If the Township needs to come to his property he wants to be there. Chairman Martin stated we will do that. We will work together.

CORRESPONDENCE

None

PROJECT UPDATES

None

SOLICITOR REPORT

The Solicitor stated that he has already discussed everything he has.

OTHER REPORTS

WCCOG – No Report

Codes Enforcement Officer Tim Knepp – The Secretary stated she has a summary of the Zoning/Codes activities for 2013. There were 55 permits issued, 5 conditional use hearings, and 22 complaints he acted on.

APPROVAL OF BILLS LISTING

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

SUPERVISORS' COMMENTS

Chairman Martin introduced James Proctor. Mr. Proctor is the newly elected member of the Audit Committee.

Chairman Martin stated there is a meeting at Southampton Township at 10:00 Thursday with Advanced Disposal. Chairman Martin suggested that the Solicitor might want to attend since he represents several municipalities in the agreement.

Chairman Martin stated that on January 24, South Mountain Partnership is having their annual meeting at the Gettysburg Hotel from 8:30 – 10:30. He would like to attend since much of the Township is on South Mountain. He believes the cost is \$10.00. Vice

Chairman Sheaffer made a motion to authorize the Chairman to attend the meeting. Supervisor Seiders seconded the motion. Motion approved.

Vice Chairman Sheaffer stated that he is glad that the Planning Commission and the Supervisors are working more harmoniously than they have in the past years. The Planning Commission is a very good group right now and it is gratifying to see people pulling together rather than fighting each other. It is amazing how much more gets accomplished.

ADJOURNMENT

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

NEXT MEETING February 13, 2014

Respectfully submitted,

Vicki Knepp
Secretary