

**PENN TOWNSHIP BOARD OF SUPERVISORS  
1301 Centerville Road  
Newville, PA 17241  
Tel: 717-486-3104 Fax: 717-486-3522  
Regular Meeting  
August 14, 2014**

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 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 July 10, 2014 Regular Meeting. Supervisors Seiders seconded the motion. Motion approved.

Vice Chairman Sheaffer made a motion to approve the minutes from the August 7, 2014 South Side Culvert Replacement Bid Opening Meeting. Chairman Martin seconded the motion. Motion approved.

Supervisor Seiders made a motion to approve the July 31, 2014 Treasurer's Report. Vice Chairman Sheaffer seconded the motion. Motion approved.

**APPROVAL OF SUBDIVISION PLANS**

None

**ZONING OFFICER REPORT**

Tim Knepp reported that there were two permits issued and one complaint in the past month. The complaint was by Mr. Washinger about Mr. Kutz placing no trespassing signs on the property next to Mr. Washinger's. Mr. Kutz mows the lot for hay and Mr. Washing has been mowing into it when he mows his yard. It is another neighborhood feud.

235 South Side – This was a complaint regarding draining water onto the neighbor's property. Mr. Knepp asked Chairman Martin if he had a chance to speak with Mr. McCallister. Chairman Martin had not. We will do nothing more unless we receive further complaints.

Mr. Knepp stated he was reviewing the new Alarm Ordinance and he noticed a couple of typos. One is major, the other minor, he pointed the typos out to the Solicitor. In

addition he believes the fine schedule is rather low. It would be cheaper for the warehouses to pay the fines than have an alarm repaired. He recommends that we revisit the fines when the typos are corrected. We need to set a two tiered fine system, one for the residential alarms and one for commercial/warehouse: Warehouse - 2 warnings; 3<sup>rd</sup> \$200.00; 4<sup>th</sup> \$400.00 and 5<sup>th</sup> \$600.00; Everybody else - 2 warnings; 3<sup>rd</sup> \$75.00; 4<sup>th</sup> \$100.00 and 5<sup>th</sup> \$150.00. Vice Chairman Sheaffer made a motion that the Solicitor be authorized to make the changes to Ordinance 2014-004. Supervisor Seiders seconded the motion. Motion approved.

Mr. Knepp asked the Solicitor if he has received any replies to his letter to the State regarding the drainage issue at 1622 and 1624 Centerville Road. The Solicitor replied he had not.

Mr. Knepp asked the Solicitor if he has heard a response from the State regarding the Fish Commission building. The Solicitor stated he had not had a chance to get back with her because of other things he was working on.

2258 Pine Road – Mr. Knepp stated that it needs mowed again and there are storm damage limbs down on the property. The Solicitor stated he sent them a letter giving them until July 25 or we will take Civil Action. Vice Chairman Sheaffer made a motion to sue the property management company. Chairman Martin seconded the motion. Motion approved.

Mr. Knepp reported he has been working with Ryder, the new tenant at 950 Centerville Road. They have product in the building and have purchased and installed three lock boxes. They are working very well with him. He also met with Office Depot and gave them an application for the additional lock box they need. Mr. Knepp stated he has discovered that the key to the fire pump is the same key as their exterior master at Ryder. Office Depot has access to the pump house, does this mean that they have access to the Ryder part of the building.

We have ordered and received a Knox Box for the Township Building. It needs to be installed.

Stambaugh – We have received a petition from neighbors regarding the condition of Mr. Stambaugh's property. Mr. Knepp stated that earlier in the week Chairman Martin directed him to try to take pictures to coincide with the pictures that were taken in June. From the pictures he was able to get, it appears that nothing has improved. Mr. Stambaugh has been moving massive amounts of rolls of hay and other equipment in. Because of the crops there was an area Mr. Knepp was unable to get to. Chairman Martin stated that due to the past history we need to have the Solicitor handle this. The Solicitor suggested that we file against Mr. & Mrs. Stambaugh and starts with \$1,000 fine. The Solicitor stated he is going to say that Mr. Stambaugh is refusing to do what he previously agreed to do and is, in fact, making it worse. We are especially concerned about the dwellings that he hauled in. Mr. Knepp stated that at this point he believes Mr. Stambaugh is operating a junk yard and he does not have a permit to do so. The Solicitor stated he will ask the Magistrate to give Mr. & Mrs. Stambaugh a compliance date. Chairman Martin asked Mrs. Smucker if she would like to make any comments. Mrs. Smucker stated she was concerned that flags have appeared directly across from their gazebo. Her concern is that if Mr. Stambaugh puts his residence there it will adversely affect her business. Mr. Stambaugh appears to be planning to use the old dilapidated trailers he brought from West Pennsboro Township. The

Township does not believe that these structures are habitable. We do not believe that he would be able to get a CO. Chairman Martin had suggested to Mr. Stambaugh that he move the structure to Smith Road. However his land on Smith Road is preserved farmland. Mr. Stambaugh has gotten two septic permits. If he plans to place two dwellings he must subdivide. The trailers he is planning to use have holes in them and mold. Vice Chairman Sheaffer made a motion to authorize the Solicitor to file a \$1,500.00 fine plus legal fees and costs against George and Shirley Stambaugh. Supervisors Seiders seconded the motion. Motion approved.

Fettrow – Mr. Knepp reported that the Fettrow property has never looked so good before. The property has been mowed and weeded. Junk has been removed and what is still there is neatly stacked and has a for sale sign. The Secretary reported that she was notified that there is an interest in the property and she has determined that the Township needs to put a lien of \$3,905.82 on the property.

Crum – Mr. Knepp requested that the Solicitor send Mr. Crum a letter regarding the RV on his property and the vehicles. The RV was brought in during the winter and just sat there. Now it looks like there might be someone living in it. The awning is out and there are lawn chairs at it. A neighbor has told us that Mr. Crum is planning on putting an electric pole at the RV. In addition the unlicensed vehicles are starting to get up in number again. Chairman Martin made a motion to authorize the Solicitor to send a letter to Mr. Crum. Vice Chairman Sheaffer seconded the motion. Motion approved.

Mr. Knepp asked if there is any way we can put in the Ordinance that we can make people who are constantly past due with the trash payment switch to bags. The Secretary was directed put this under new business on the Agenda for the September meeting.

## **UNFINISHED BUSINESS**

Trash – The Secretary reported that service has been stopped on four individuals for non-payment.

Septic – The Solicitor reported that his office has prepared 6 letters and complaints to residents for the 2013 septic pumping. Chairman Martin made a motion to authorize the Solicitor to send the letters and complaints to the residents in District 4 who did not get their septic pumped in 2013. Supervisors Seiders seconded the motion. Motion approved. The Secretary reported that of the 377 residents who are to have their septic pumped in 2014, 111 have done so.

IDI Warehouse – Chairman Martin stated that the last he had heard, HRG sent the stormwater information to DEP and County, but we had not received anything yet.

Compression Release Brakes – Chairman Martin stated we had discussed this last month. He did not know if the Planning Commission had discussed it. Chairman Martin stated he will use the minutes from last month to update the areas of the Township to prohibit the use of Jake Brakes. We will need to share this with West Pennsboro for Ritner Highway. Chairman Martin will make the changes and email it to the Solicitor. We also need to exclude emergency vehicles.

Warehouse light levels – Also tabled last month for the Planning Commission. Vice Chairman Sheaffer stated they recommended using the guidelines developed for the IDI Warehouse.

Signs – Chairman Martin stated that we had discussed making this and the light levels amendments to the Zoning Ordinance. He would prefer to make them individual ordinances to make it easier to modify to keep up with advancing technology in both areas.

Burn Ordinance – Vice Chairman Sheaffer stated he did not get a chance to follow up with the Department of Agriculture. Chairman Martin made a motion to table the Burning Ordinance until next month. Vice Chairman Sheaffer seconded the motion. Motion approved.

County Convention – Chairman Martin reported that the County Convention is on October 2, 2014 at 8:00 AM. Supervisor Seiders stated he did not know what his schedule would be so we should not count on him. We will send 8 – 10 people.

Susan Whitsel – Chairman Martin asked the Secretary if she had heard anything from Ms. Whitesel regarding the Park & Rec minutes. The Secretary stated that she sent Ms. Whitesel the letter on July 15, on the 17<sup>th</sup> Ms. Whitesel called her and said she is working on getting the minutes together, but would not be able to have them by the 31<sup>st</sup>. The Secretary said that through the conversation she gathered that the minutes are not typed, they are in a box somewhere, and Ms. Whitesel is not sure where. Chairman Martin stated that there were a couple of months where there were not even meetings and Ms. Whitesel was paid by us. It is our responsibility to keep these minutes in our records and we have been trying to get them for quite a while. He believes that it is time for the Solicitor to send a letter. The Secretary stated that Ms. Whitesel called her again on August 7 and basically told the Secretary that she is working on getting them together, but she hasn't done anything. Chairman Martin made a motion to have the Solicitor send a letter to Ms. Whitesel requesting the minutes from the Park & Recreation Committee for the period when Ms. Whitesel was Secretary of the Committee. Vice Chairman Sheaffer seconded the motion. Motion approved.

## **NEW BUSINESS**

Joan Fordham – Chairman Martin stated that as a result of a little paragraph in the newsletter, we have an applicant for Voting Alternate to the Zoning Hearing Board. Ms. Fordham is a part time Administrative Assistant for North Middleton Township. She is a resident of Mt. Rock Road. She seems enthusiastic and is knowledgeable about Township Operations. Supervisors Seiders made a motion to appoint Ms. Fordham as Voting Alternate to the Zoning Hearing Board. Vice Chairman Sheaffer seconded the motion. Motion approved. Chairman Martin stated he planned to invite her to the Township Office to introduce her and will introduce her to Holbert Myers as well.

I-81 & Route 233 Exchange - Chairman Martin stated he had a conversation with Kurt Stoner. The HATS only has one project on the list for the Western Part of Cumberland County. That got Chairman Martin thinking about how to improve the exit at I-81 & 233. His concept was to move the ramps further away from I-81 and then we would have room for a center left turn lane. It would reduce congestion and increase traffic flow without the hassle of rebuilding the interchange. A second benefit is that once you do that you save all

that space for future expansion on the interchange. The way it is now all the land could be sold around it and bottle neck that area. The original thought was to put the on ramp onto Hair Road. He stated that if you put this in the study it will generate discussion. Dan Ries did the drawing. It shows Hair Road relocated. Vice Chairman Sheaffer stated he thought this was an excellent first step. Vice Chairman Sheaffer made a motion to adopt this as our preliminary plan and share it with County Planning and HATS. Chairman Martin seconded the motion. Motion approved.

### **BREAK FOR EXECUTIVE SESSION**

South Side Culvert Repair – We are in the process of exploring alternate routes to repair the culvert. Vice Chairman Sheaffer made a motion to suspend John Shambaugh as Township Engineer. Chairman Martin seconded the motion. Motion approved. Solicitor McKnight stated he will contact Mr. Shambaugh to notify him not to show up to the Planning Commission meeting on Monday. Vice Chairman Sheaffer made a motion to reject both bids received for the culvert repair. Supervisor Seiders seconded the motion. Motion approved.

### **BREAK FOR EXECUTIVE SESSION**

Fire Company Membership – Vice Chairman Sheaffer made a motion to recommend to the Fire Company that the line officers discern a member’s capabilities on a case-by-case basis. Chairman Martin seconded the motion. Motion approved.

Energy Consortium Electricity Reverse Auction – The Secretary reported that sometime in mid-October the Consortium will be holding a reverse auction for electricity rates. We will have an advance notice of when the auction will happen. Once the auction occurs there is a very narrow period of time to get the documents signed and faxed in. Several days prior to the start of the auction the participants will be required to submit copies of the contracts for review by the Consortiums legal depart. Vice Chairman Sheaffer made a motion to authorize any one of the Supervisors who is available to sign on behalf of the Township. Chairman Martin seconded the motion. Motion approved.

Tar & Chip Contract –Chairman Martin stated that the past two days the road crew has been working on South Side Drive with the paver to repair some soft spots. We have been waiting on Wilson Paving to come out and do it. The tar and chip contract expires tomorrow. Vice Chairman Sheaffer made a motion to extend the contract to October 15. Supervisor Seiders seconded the motion. Motion approved.

### **CORRESPONDENCE**

Cumberland County Household Waste Collection – August 23. A link has been placed on the Township facebook page to direct residents to the County website for a list of what is accepted.

Cumberland Valley Visitors Bureau –CAEDC Strategic Planning Meeting – The meeting is Wednesday, September 10, 8:30 to 10:30, to discuss Business retention, business attraction, expansion, redevelopment and reuse, financing & funding and visitor growth. Chairman Martin asked if anyone was interested in representing the Township. No takers.

Capital Region COG – Stormwater Management Workshop – September 16  
Stormwater Management Workshop. The Secretary was directed to give this to the Planning Commission. Vice Chairman Sheaffer made a motion that the Township will pay the cost of the registration for anyone wanting to attend. Chairman Martin seconded the motion. Motion approved.

CAEDC/Cumberland Valley Visitors Bureau – Highway to Growth – We have a complimentary ticket to the September 17 Highway to Growth meeting. No one was available to attend.

## **PROJECT UPDATES**

Township Landscaping – the wall looks good. It was an Eagle Scout Project. Everyone is waiting for the Secretary to back into it.

Gutter Cleaning – the Road Crew has been cleaning out gutters. We have received a lot of complaints about it. Chairman Martin drafted a letter to send to anyone who calls to complain. One resident went out and refilled the gutter after we left. Our next plan is to survey intersections for visual obstructions for the school buses. We will have to make a letter for that, too.

## **SOLICITOR REPORT**

35 Leeds Road – They have gotten their septic permit and are working with the SEO. They are not returning his phone calls.

Blacks Ritner Highway – we have dealt with a theft of services. The Blacks were dumping their trash in their neighbor's toter after their service was stopped for non-payment. The Solicitor stated he sent them a letter and Ms. Black was in to the Township office and paid the bill and reinstatement fee the next day.

Hodecker – The Solicitor stated that he has received a letter from the Attorney General stating they need more time to evaluate our detailed Ordinance.

Fish Hatchery – He has not heard anything from the Hatchery. He will follow up on that with their Solicitor.

## **OTHER REPORTS**

WCCOG – None August meeting canceled.

## **APPROVAL OF BILLS LISTING**

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

## **SUPERVISORS' COMMENTS**

None

## **ADJOURNMENT**

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

## **NEXT MEETING September 11, 2014**

Respectfully submitted,

Vicki Knepp  
Secretary