

PENN TOWNSHIP BOARD OF SUPERVISORS
1301 Centerville Road
Newville, PA 17241
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Regular Meeting
September 11, 2014

Chairman Martin called the meeting to order and led everyone present in the Pledge of Allegiance and a moment of remembrance for the 9 11 victims.

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

PUBLIC COMMENT

Randy Heishman, 2675 Walnut Bottom Road – Mr. Heishamn stated he is concerned that he is losing about 2 acres of tillable land due to water runoff. He stated that all the water from the intersection with 233 runs down along the Ickes property down onto his property on Shank Road. There are also two Township culverts that catch all the water runoff from the hill and dump it into his field. At the end of the field there are finger streams that have been created by all the water. He is losing soil and valuable ground. He wondered if the Township could address it. The Solicitor asked if this was a new situation. Mr. Heishman stated he just purchased the property. The previous owners were Mennonites and they never addressed it. Mr. Heishman stated he spoke with PennDOT and they are going to contact DEP to see what can be done on the Walnut Bottom Road side. Chairman Martin asked if it went down along Shank Road. Mr. Heishman stated it goes down for about 100 ft. and then just stops and spills out into his field. Vice Chairman Sheaffer stated he believed that with the ground lies that's the natural flow and it has to go there. He suggested that Mr. Heishman contact the County Soil Conservation Office to start to see if they have any recommendations. Chairman Martin stated he will have the Roadmaster check it out. We can't do anything on Mr. Heishman's property.

APPROVAL OF MINUTES

Vice Chairman Sheaffer made a motion to approve the minutes from the August 14, 2014 Regular Meeting. Chairman Martin seconded the motion. Motion approved.

Vice Chairman Sheaffer made a motion to approve the minutes from the August 28, 2014 Special Meeting. Chairman Martin seconded the motion. Motion approved.

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

APPROVAL OF SUBDIVISION PLANS

Prinsen Subdivision – Keith Moore from Frederick Seibert & Associates represented the Prinsens. They would like to subdivide for one building lot. They have submitted a Septic Module. The Secretary reported that the Planning Commission has recommended approval, however, they have not voted to sign the Septic Module. If the Plan is approved the Planning Commission would have to approve the Septic Module. The Secretary also reported that the

property owners are facing a financing deadline. She has drafted a letter stating that the plans were approved pending receipt of DEP approval for the Septic Module to send to the Prinsens. Vice Chairman Sheaffer made a motion to approve the plans pending the DEP approval and approve the Resolution 2014-15 Prinsens Septic Module. Chairman Martin seconded the motion. Motion approved. Vice Chairman Sheaffer made a motion to approve the letter dated September 11, 2014 to Raymond and Tammy Prinsen regarding the Subdivision Plan. Chairman Martin seconded the motion. Motion approved.

Cohick Subdivision Plan and Non-Build Waiver – Mike Wadel reported this was a lot addition from the Esther Cohick property. Mrs. Cohick owns 36.4 acres at the corner of Mt. Rock Road and Walnut Bottom Road. Mrs. Cohick wants to give a half acre to give to her son Steven and his wife Linda, this will make their lot 1.3 acres and will bring it into compliance with Zoning. There are three sheds on the lot addition and there is a fence around it. There is no building planned. The Secretary reported that the Planning Commission recommended approval. Vice Chairman Sheaffer made a motion to approve the Cohick Subdivision Plan. Chairman Martin seconded the motion. Motion approved.

Verdekal Subdivision Plan and Non-Build Waiver – Mike Wadel reported this is to settle up Frances Verdekal's estate. There will be no construction or earth moving. This plan is a little complicated. The property is 79.8 acres, located on the south side of 81 on the east side of Mt. Rock Road. The property is mostly in Dickinson Township with a minority in Penn. Most of the activity is in Penn. The part in Penn Township has the only road frontage. Everything in Dickinson Township is landlocked. There are two lot additions to Albert Verdekal's existing piece. He currently has a 10 acre piece that touches Mt. Rock Road. He is adding 14.3 acres, a 9.4 acre lot addition and a 4.9 acre addition giving him close to 25 acres on a single property. The two lot additions do not have any road frontage. There are two existing mobile homes on the property. They have separate septic, but share a well. Mr. Wadel has provided a shared well agreement and put notes on the plan to address that. These will be stand alone lots that both have road frontage. Both lots use a shared driveway. As long as Albert owns both of them they can continue to share the driveway. If he sells he must put in a driveway. The Secretary stated that the Planning Commission recommended approval. Dickinson Township has already approved the plan. Vice Chairman Sheaffer made a motion to approve the Verdekal Subdivision Plan pending the signatures of Dickinson Township. Chairman Martin seconded the motion. Motion approved.

ZONING OFFICER REPORT

Tim Knepp – Mr. Knepp reported he had one permit and one complaint for the month. He stated the complaint was a burning complaint; it was an obvious violation burning illegal, hazardous substances. He issued the first citation.

UNFINISHED BUSINESS

Trash – The Secretary reported that everyone has paid their bill. Chairman Martin reported that our bay is full of new bins. The Secretary stated that we had discussed last month about putting delinquent accounts on bags. Vice Chairman Sheaffer stated he thinks after the second time their service is stopped we should make them switch to bags for a 6 month period. Chairman Martin stated that they are supposed to buy a year's worth to start. The Secretary will put a statement in the delinquent letter that the second time we stop their service that we not reinstate them to toters, they will have to switch to bags. Vice Chairman Sheaffer made a motion to establish a policy that if a resident is delinquent and service is stopped two times they go on bag service for one year. Chairman Martin seconded the motion.

Septic – The Secretary reported that 127 out of 377 were pumped so far this year. There are still 5 from 2013 that have not been pumped. The Solicitor stated they would prepare complaints and see if that spurs any activity. The Secretary reported that one of the properties, Rabanal, 50 Seavers Road, was advertised for Sherriff's sale for last week. She did not know if it was sold.

IDI Warehouse – Chairman Martin reported that there was a letter about stormwater saying 43,000 gallons a day of runoff during construction.

Compression Release Brakes – Chairman Martin stated that he has updated the Ordinance. It took a lot of time to get the exact GPS coordinates. The Secretary stated she did not see where it exempts emergency vehicles. The Solicitor suggested we change the wording of B to "This Ordinance does not apply to emergency vehicles and emergency driving situations requiring. . .". Vice Chairman Sheaffer made a motion to advertize the Ordinance with the changes suggested. Chairman Martin seconded the motion. Motion approved.

Warehouse light levels – The Planning Commission has reviewed the Lighting Ordinance and approved it. We are going to use the guidelines we gave IDI.

Electronic Signs –The Secretary reported that we have received a model ordinance from County Planning. They are having a workshop on the ordinance. Chairman Martin suggested we table this until we review the model ordinance from County. Mr. Knepp asked what the status of the sound ordinance is. Chairman Martin said we need to look at what we can combine. Mr. Knepp suggested that the Nuisance Ordinance should be amended to cover those. Chairman Martin felt that the lights should be a separate ordinance. The Solicitor felt that the lights should be part of the Zoning Ordinance. Noise should be in the Nuisance Ordinance. Electronic Signs should be a separate ordinance and lights should be zoning. Chairman Martin made a motion to table these items. Vice Chairman Sheaffer seconded the motion. Motion approved.

Burn Ordinance – Vice Chairman Sheaffer reported he did not have a chance to do research on the Burn Ordinance. Vice Chairman Sheaffer made a motion we table the Burn Ordinance again. Chairman Martin seconded the motion. Motion approved.

Park and Recreation Minutes – The Secretary stated she has not received the minutes and has not heard from Ms. Whitesel for the past month. The Solicitor presented a letter to Ms. Whitesel requesting that she contact either him or the Secretary to make arrangements to turn over the minutes. Our next step will be to have a constable pick them up. If we have heard nothing in 2 weeks he will send Ms. Whitesel another letter stating that he will recommend that the Supervisors have a constable pick them up. The Supervisors can then vote on it at the next meeting. Vice Chairman Sheaffer made a motion to approve the Solicitor's letter to Ms. Whitesel. Chairman Martin seconded the motion. Motion approved.

Route 11 & 233 Traffic Light Preemptor – The Secretary reported that the Board had voted to install the preemptor at the Fire Chief's request. She has been working with the traffic engineer and we are to the point where we need to submit the TE-160 form and resolution to PennDOT. The resolution is to authorize the Chairman to sign the TE-160 on behalf of the Township. Vice Chairman Sheaffer made a motion to approve 2014-16. Chairman Martin seconded the motion. Motion approved. The Secretary reported that she had received a call from a couple of school bus drivers the previous day reporting that the light at 11 & 233 was not operating properly. She notified PERCS and they discovered that the South Bound Route 11 loop was defective. She got a quote of \$2,301.59 to repair it. She notified PERCS to repair it.

NEW BUSINESS

Walking Trail Distance Markers – The Secretary reported that she has had several inquiries this year about the distance of the walking trail. There use to be a map of the trail posted at the fire station that showed how far the different portions of the trail are, but it is not down there anymore. We had discussed the possibility of putting up distance markers at the trail. We will think about it for another month. We should also replace the map. Chairman Martin made a motion that we will figure out how to do it and put the mile markers up. Vice Chairman Sheaffer seconded the motion. Motion approved.

Pension Trust Fund – The Secretary stated we received a request from PSATS that we enact a resolution approving the change to the pension. The changes are to comply with federal and state changes. Vice Chairman Sheaffer made a motion to approve Resolution 2014-17. Chairman Martin seconded the motion.

Health/Life/Disability – The Secretary stated that we also received a request from PSATS for a resolution for the Health/Life/Disability Fund. The Secretary stated that our disability insurance is through PSATS. Vice Chairman Sheaffer made a motion to approve Resolution 2014-18. Chairman Martin seconded the motion. Motion passed.

Trick or Treat – The Secretary reported that she had contacted Newville to find out when their Trick or Treat and parade was. The parade is on Monday, October 27, 2014 and she was told that Trick or Treat will be on Friday, October 31. She questioned that it was on a Friday. After much discussion it was decided that we will have Trick or Treat on Thursday, October 30 from 6 to 8 PM. Friday would affect football games. Mr. Knepp checked the Newville website, it listed Trick or Treat on Thursday, October 30. Chairman Martin made a motion to have Trick or Treat on Thursday, October 30, 2014 from 6 – 8 PM. Vice Chairman Sheaffer seconded the motion. Motion approved.

Budget Workshop – Chairman Martin stated we needed to set a date for the budget workshop. The Treasurer asked if we could wait until she had all her September figures. The next BOS meeting is on October 9, we could do it the 7th or the 8th. The workshop was set for 7:30 AM on October 7.

Medic Response – Chairman Martin reported we have received a letter from Penn Township Volunteer Fire Company asking the Township to select Medic 73 to provide the primary ALS service to the entire Township in place of Medic 84. Medic 73 has agreed to honor the memberships for West Shore ALS. Vice Chairman Sheaffer made a motion to accept the Fire Chief's recommendation. Chairman Martin seconded the motion. Motion approved.

CORRESPONDENCE

None

PROJECT UPDATES

South Side Culvert – Chairman Martin spoke with the engineer from Old Castle. He says they can take the culverts apart to move them. First we want to look at the possibility of repositioning the culvert without taking it apart, if possible, by putting a steel beam through it and having cranes lift it out of the hole, regrade and align it properly. The other option is to cut the cables and move the pieces individually. If we do it that way the smart thing to do would be

to move it about 4 feet upstream and put a 4 foot piece in, giving us a 3 foot shoulder on each side of the road. Either way it looks like we can make some changes the alignment on it rather easily. The engineer is supposed to call Chairman Martin back to meet at the culvert. Chairman Martin believes that the majority of the work can be done by Township employees. The Secretary reported that Rick Levan was in to check on the status of the project, Mr. Shambaugh had set up a project on it. She told Mr. Levan to close it out.

Chairman Martin also reported that Jeff and Ernie put 60 ton of stone in the culvert the previous day to fill up the bank on the western side. Some of the stone was as large as the table and will not wash out. It can be used elsewhere when it is no longer needed there. The new engineers were also up there surveying.

Three roads were tarred and chipped the previous week, South Side, Cornman and Kutz.

SOLICITOR REPORT

Haymans 35 Leeds Road – The Solicitor stated he sent the Haymans a letter that they need to be out of the property. He understands that they were out, but moved back in. That was confirmed by the Secretary and Mr. Knepp. The Secretary stated that she had spoken to the SEO that morning and he is still waiting for the Haymans to contact him, they have done nothing more. The Solicitor asked if he should send the Codes Officer out before he goes to the Magistrate or takes other steps. The Secretary stated that she believes we need to do something soon; it is a public health issue and affects not just the Haymans, but also their neighbors. Chairman Martin inquired if there were any agencies that could assist them. Vice Chairman Sheaffer wondered if there might be some private organizations that might assist them. The Secretary reported that it is not an issue of pumping the tank. The SEO reported to her that they need to get a backhoe out there to inspect the drain field. Vice Chairman Sheaffer reported he has one contact he can make as a concerned citizen to see if something can be done for the Haymans. That contact might know who to contact to make something happen. The Solicitor stated he would still like to have the Codes Officer verify that they are living in the house and take photos of the property. Chairman Martin suggested we authorize the Solicitor take action if we can't come up with an alternative.

Stambaugh – The Solicitor gave the Board a copy of the Civil Complaint against the Stambaugh's for violation of the Nuisance Ordinance with junk and debris and lack of cooperation. He will file it at the beginning of the week. The fine is \$1,000 plus \$500.00 legal fees. He asked the Codes Officer to take more photos before the hearing when we get the date. Vice Chairman Sheaffer made a motion to authorize the Solicitor to send the letter to the Stambaughs and file with the magistrate. Chairman Martin seconded the motion. Motion approved. The Solicitor also had a letter to the Stambaughs to bill them for the tractor tire that was punctured by metal debris left in the Township right of way. Vice Chairman Sheaffer made a motion to authorize the Solicitor to send the letter. Chairman Martin seconded the motion. Motion approved.

Crum- the Solicitor had a letter to the Crums. He understands that there has been some cleanup to the property. The letter lets Mr. Crum know that no one should live in the RV on his property. Mr. Crum is instructed to contact the Solicitor or the Codes Enforcement Officer if he has any questions. Vice Chairman Sheaffer made a motion to authorize the Solicitor to send the letter to Mr. Crum. Chairman Martin seconded the motion. Motion approved.

Fish Hatchery – The Solicitor reported that he has sent a follow up letter to the Chief Council of the Fish Commission.

The Solicitor stated he had met with the newly appointed interim engineers. They met about the South Side culvert issue. They are to get him a report within 30 days. They will contact our suspended engineer and let him know they are involved and will be proceeding. The Solicitor stated he has sent another letter to Mr. Shambaugh asking for the photographs again. He will call Mr. Shambaugh about the original bid documents. All Township staff has is photocopies. We need the originals for our Liquid Fuels audit.

2258 Pine Road – The property has been mowed but there is still a pile of branches and debris in the yard. The Solicitor asked if we want to sue them at this point. Vice Chairman Sheaffer made a motion for the Solicitor to proceed against the mortgage company for 2258 Pine Road. Chairman Martin seconded the motion. Motion approved.

Stormwater issue 1622/1624 Centerville Road – The Codes Enforcement Officer reported that there is a storm culvert that empties out onto 1624 Centerville Road. Every time the owner came out to work on the property he would get stuck because the drainage turned the property into a mud pit. With the permission of the neighbor at 1622 Centerville Road he dug a drainage ditch to continue it back into the woods. All that did was move the water back to an area where the land gets flat and channels it onto the property at 1622 Centerville Road causing quite a mess in the back. The Solicitor will contact District 8 and ask them to send an engineer out.

Chairman Martin stated he had a follow up on the Stambaugh issue. He spoke with MDIA at the COG meeting concerning the movement of used mobile homes. Mobile homes must be moved and installed by a licensed installer. There is a checklist that the installer has to go through to validate that everything on the home is being habitable and operational before MDIA goes in to inspect. When Mr. Stambaugh comes in for the permit to move the mobile home the Secretary will tell him he has to have a licensed installer, he will be given the list of installers. MDIA said that they believe that any of the installers on the list will not move them. If they do get moved they must comply or they will not get an Occupancy Permit.

Mr. Knepp reported that the Hodecker property is on the market listed as a commercial property. The realtor and a developer stopped in the office to ask some questions about it. We stressed the lack of public water and that it is abutting a Residential District.

OTHER REPORTS

WCCOG – Chairman Martin stated the meeting was relatively uneventful. There were people talking about discrimination. If we get any grants through the County and our Zoning Ordinance is discriminatory County will not give us any money. The Solicitor asked discrimination against what. The COG Administrator is leaving; she has taken a job with the School District. Mr. Eichelberg has a couple people interested. One of them was Denise Gemboosi who was interested the last time. She is familiar with Township regulations.

APPROVAL OF BILLS LISTING

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

SUPERVISORS' COMMENTS

Vice Chairman Sheaffer introduced Derek Williams and his father. Derek is a Scout, one of the requirements for his Citizenship in the Community is that he must attend a town or township meeting and pick one of the topics discussed at the meeting to discuss in greater depth at a later time.

Vice Chairman Sheaffer reported that Matt Ulsh had his Eagle project approved. He will be working on the landscaping around the sign and flagpole and putting a small wall up around it. He will be removing the macadam that is out near the old entrance to the garage and replacing it with topsoil and seeding it, adjusting some of the topsoil in the front bed and replacing the two dead arborvitae at the District Justice's office. That should happen in the next two to three weeks.

Vice Chairman Sheaffer reported that there is also another Scout who is getting close to doing his Eagle project. His project will involve relocating the volley ball court from Centerville Park to the Eagle Scout Park at the Township building. They will organize some meetings using that facility to incorporate some hiking and put it to use.

Chairman Martin – Nothing.

ADJOURNMENT

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

NEXT MEETING October 9, 2014

Respectfully submitted,

Vicki Knepp
Secretary