

PENN TOWNSHIP BOARD OF SUPERVISORS
1301 Centerville Road
Newville, PA 17241
Tel: 717-486-3104 Fax: 717-486-3522
Regular Meeting
November 13, 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 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 October 9, 2014 Regular Meeting. Supervisors Seiders seconded the motion. Motion approved.

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

APPROVAL OF SUBDIVISION PLANS

None

ZONING OFFICER REPORT

Tim Knepp – Mr. Knepp stated he had 3 permit applications for the month and one complaint between Young and Napoli. Stambaugh hearing date is Monday, pictures have been updated.

UNFINISHED BUSINESS

Trash – The Secretary reported she stopped service to three residents. She gave them until November 28 to pay the bill. One came in and paid earlier in the day. She asked permission to turn the two unpaid accounts over to the Solicitor for collection if the residents do not pay the bill by the 28th. Vice Chairman Sheaffer made a motion to authorize the Secretary to turn unpaid accounts over to the Solicitor. Chairman Martin seconded the motion. Motion approved. The Secretary stated she has one other resident whose service will be stopped next Monday. She will give them until December 5 to pay and then would like permission to turn that account over to the Solicitor on December 8. Vice Chairman Martin made a motion to authorize the Secretary to turn that delinquent account over to the Solicitor. Chairman Martin seconded the motion. Motion approved.

Septic – The Secretary reported that 205 of the 378 systems have been pumped, approximately 54%. There are still 5 that have not been done for 2013. The Solicitor stated he has filed complaints against those 5. He does not have the hearing date yet.

Compression Release Brakes – Chairman Martin stated we discussed this last month. The Secretary stated that it was tabled for comments by the Engineer. She stated she has seen nothing from them yet. Vice Chairman Sheaffer stated we need to remove numbers 1 & 2 from the regulations. Chairman Martin stated we need to post signs as needed in the residential areas. The Solicitor stated we should wait for the comments from the Engineer. Vice Chairman Sheaffer made a motion to table it until we receive the Engineer's comments. Supervisor Seiders seconded the motion. Motion approved.

Warehouse light levels – With the Planning Commission. Chairman Martin made a motion to table the ordinance. Vice Chairman Martin seconded the motion. Motion approved.

Burn Ordinance – Vice Chairman Sheaffer stated he read over the information he received from County and it was basically the same as our ordinance. He asked the Solicitor if we could make the ordinance whatever we wanted. Chairman Martin asked Vice Chairman Sheaffer if he contacted the Department of Agriculture. Vice Chairman Sheaffer stated he had not. Chairman Martin stated that there are four businesses in the Township that this will affect. Mr. Knepp asked if we could leave it as it stands and allow those businesses to file for an exemption. Chairman Martin stated we need to do more research. Chairman Martin made a motion to have the Solicitor do more research on the Burn Ordinance. Vice Chairman Martin seconded the motion. Motion approved.

Alarm Ordinance – The Secretary reported that we had passed the Ordinance earlier in the year. Mr. Knepp had pointed out some problems with the Ordinance at the August Meeting. The Secretary stated she had corrected the items as per the minutes of August; however, the Ordinance needs to address the issue of registering alarm systems. Mr. Knepp stated he worked with the Secretary and took sample registration forms from several municipalities and gleaned the information we thought we would need and worked on a form. It is not complete because some of it will need to reference the part of the Ordinance requiring registration. Fees were discussed and it was thought that residential systems should be free and commercial systems should be \$25.00, this would be a onetime fee. The registration form will contain emergency contact information and will require updates as that information changes. We would like to require them to update them if there are any changes and annually, the thought being that if they do it annually, we will be able to catch any changes not given during the year. Mr. Knepp asked the Solicitor if he could use the Alternative Dispute Resolution Citation for his warning form. Instead of writing in the amount of the fine he would write warning. The Solicitor felt that was a good idea. Mr. Knepp spoke with the State Police and said they were appreciative that we were going to address false alarms. The Trooper he spoke with was not sure how or if they would report to us. Mr. Knepp stated that once everything was finalized and we had the Ordinance and form he would go back to the Barracks and talk to the reporting party. The Secretary asked whether we should supply PSP with a copy of the permit application since it will have all the emergency contact information. Vice Chairman Sheaffer made a motion to table the Ordinance to get the necessary information added to it. Supervisor Seiders seconded the motion. Motion approved.

Numbering of Buildings – Mr. Knepp stated that the green address signs that the Fire Company provides at cost are not in compliance with the Ordinance. He stated the Ordinance requires 4 inch numbers while the Fire Company uses 3 inch. Mr. Knepp's suggestion is that if a resident displays an address sign on the mailbox or at the road the 3 inch is acceptable. If it is on

the structure or back from the road it should be the 4 inch. Solicitor McKnight felt that made sense. Chairman Martin thought that if it was on a house it should be illuminated, too. Mr. Knepp said the ordinance recommends it be reflective, it does not say illuminated. With the distance some of our houses are from the road the illumination would not do any good, either. Mr. Knepp stated he also believes that the fine on the last page is excessive. He believes that it should be handled under the Alternative Dispute Resolution Ordinance. Vice Chairman Sheaffer made a motion to table the Ordinance until the changes can be made. Chairman Martin seconded the motion. Motion approved.

Park and Recreation Minutes –The Secretary reported that she has received the Park & Rec minutes. She weeded through everything, sorted and organized it and had them filed in 3 ½ hours.

Budget – Chairman Martin stated taxes are staying the same next year and the budget is balanced. The Secretary reported the budget was advertised and posted. Chairman Martin Made a motion to approve Resolution 2014-019 setting the taxes and approving the budget for 2015. Supervisors Seiders seconded the motion. Motion approved.

DJ Office Rent – Chairman Martin stated that John Lopp, for the County, approached Vice Chairman Sheaffer and himself regarding the DJ office lease. The County has been renegotiating leases or moving DJ offices all over the County. The proposed lease would pay \$11.50/sq. ft., or \$2,587.50 a month. The lease contains a 3% increase after the fifth year. Chairman Martin stated it is 5 and 5, or 10 years. The Solicitor stated he has a problem with paragraph three of the Lease. If a tenant can walk with 90 days notice, this is a 3 month lease. If this is important to the County he recommends that we modify it with one change of clause “Landlord agrees that tenant may terminate this lease at any time **after the initial five year term.** . . .” Vice Chairman Sheaffer asked the Solicitor would like to call Mr. Lopp on that? Chairman Martin stated we put in a well, could we provide a filter and UV light for the water and eliminate the bottled water. The Solicitor stated we can always do a small modification of the lease for that. Chairman Martin made a motion that we approve the lease on the condition that the Solicitor makes the modification to paragraph 3. Vice Chairman Sheaffer seconded the motion. Motion approved.

Township Engineer – Chairman Martin stated we need to do an RFP for the first of the year. The Solicitor agreed. Chairman Martin asked the Solicitor if he had any examples we could use as a bases. The Solicitor stated not off hand because engineer turnover is not frequent, but he would find something. A discussion was held on where we wanted to advertise. The Solicitor suggested that we advertise in the Sentinel and send it to targeted firms. Chairman Martin made a motion that we advertise for engineering services for 2015. Vice Chairman Sheaffer seconded the motion. Motion approved.

Hodecker – Chairman Martin asked the Solicitor if there was any word on the review of our Ordinance. The Solicitor had nothing yet. Chairman Martin stated that Mr. Hodecker has brought in truckloads of logs and chicken manure and piled them near the property line with the residential area. Mr. Hodecker has 160 acres and he chooses to put everything in that corner. Is it a violation of the sawmill setback? Mr. Knepp asked if the manure could be put under the Nuisance Ordinance. Chairman Martin stated that because it is a farming operation it is exempt.

NEW BUSINESS

Irish Gap Road – Chairman Martin stated that we are having an issue with right-of-way on Irish Gap Road. He asked Mr. Snyder if he had his deed with him. Mr. Snyder stated he did. Chairman Martin stated he had our survey and the survey that the State had done. He asked Mr.

Snyder to come forward to the table where they could spread everything out. Mr. Snyder was putting in a new driveway to his property. He was told by Tony Sennett that the existing driveway was on Mr. Sennett's property. In looking at the surveys and Mr. Snyder's deed it was determined that Mr. Snyder's driveway is on his property and going through the Township right-of-way. Chairman Martin stated that he is already on the Township right-of-way. All Mr. Snyder needs to do is remove the blocks and put it back the way it was. Chairman Martin stated that he was confused as to where Mr. Sennett's property began, but as long as Mr. Snyder is accessing his property through the Township right-of-way he is fine. Mr. Snyder thanked the Board and left. Chairman Martin stated there is a problem with the Tony Sennett's sign, it is on Township property. He believes that the letter telling Mr. Sennett to move the sign needs to come from the Solicitor. Chairman Martin stated that on the map the areas marked in green are Township right-of-way. According to the surveyor there is a question as to whether the 50 ft. right-of-way for the turnaround is valid. Vice Chairman Sheaffer stated that Mr. Sennett also has logs lying along the roadway that have to be removed.

Health Insurance – The Treasurer reported that we had discussed this a little last month. We found out that the Township has to select an insurance carrier that will insure non-working supervisors under their regular policy. We currently have three policies, one for Jeff and Ernie, one for Ken and a Medicare supplement for Amos. We have been doing research and have found that PSATS has a policy that would cover everyone under one policy. It is through Aetna Insurance. The coverage is comparable to what we currently have and the costs are about the same or a little lower. In addition, PSATS has notified us that they have negotiated with Aetna and there will not be a price increase for the 2015 coverage. The open enrollment period is January. We are currently getting three bills for health insurance; with this we would only have one. Vice Chairman Sheaffer made a motion to authorize the staff to proceed with obtaining health insurance. Supervisor Seiders seconded the motion. Motion approved.

Gettle Rezoning Request – Chairman Martin reported that we received a rezoning request from Mr. Gettle for his property at 5 Penn Drive. The property is currently zoned Agricultural and Residential. Mr. Gettle is requesting that we rezone it to Commercial Industrial. The Solicitor suggested that the Secretary send a letter to the applicant that effective November 13, 2014 we have accepted his application and forwarded it to County and Township Planning Commissions. The Township has 60 days from the date of accepting the request in which to conduct a public hearing, but not less than 30 days after receiving Planning Commissions comments. Because of the Holidays we would like to request a 60 day extension to this 60 day time frame. Chairman Martin made a motion to forward the request to both County and Township Planning Commissions for their recommendations and for the Secretary to send the letter to the Gettles. Vice Chairman Sheaffer seconded the motion.

Harrisburg Area Transit Study – Chairman Martin explained that he had redesigned the entrance and exit ramps for Interstate 81. This has been submitted to the Planning Commission and they agreed with the design. Chairman Martin would like permission to submit this to Cumberland County Planning Commission and work with Kirk Stoner for possible submission to HATS. Vice Chairman Sheaffer made a motion to approve this and forward to County Planning. Supervisor Seiders seconded the motion. Motion approved.

PennDOT BPID – The Secretary reported the Township Traffic Engineer has recommended we register for a Business Partner ID for PennDOT's Engineering and Construction Management System. In order to do this she needs approval from the Supervisors and a resolution allowing Chairman Martin sign on behalf of the Township. This will be how we get future HOP information. Vice Chairman Sheaffer made a motion to approve Resolution

2014-20 authorizing Chairman Martin to sign the forms and allow the Secretary to apply for the PennDOT BPID. Supervisor Seiders seconded the motion. Motion approved.

SEO Fee Schedule – The Secretary reported that the SEO has submitted a new fees schedule for 2015. It is his first increase in 4 years. Chairman Martin suggested that it be tabled until the Reorganization Meeting in January.

Hassinger Driveway – Chairman Martin stated that the driveway at Hassinger’s that goes back to the cemetery is a Township road and as such it needs a name and a stop sign. He believes Hassinger Drive would be appropriate. Chairman Martin made a motion to name the road Hassinger Drive and put a street sign and stop sign there. Supervisors Seiders seconded the motion. Motion approved.

Official Map – Chairman Martin stated that while he was speaking with Kirk Stoner from Cumberland County Planning Mr. Stoner recommended that the Township adopt an official map. Mr. Stoner believes that it will be beneficial to us, especially if the economy does come back. Mr. Stoner recommends that the changes we made to the Agricultural District in the area where public water and sewer is should be rezoned to a separate zone to make it clearer. It gives the Township the right to purchase ground. Chairman Martin stated we have been sitting back and allowing people to come to us and say this is what we want. We need to take control and decide now where we want to put things. Vice Chairman Sheaffer made a motion to move forward with an Official Map and contact Cumberland County Planning for assistance. Supervisors Seiders seconded the motion. Motion approved.

Speed Limit on Route 233 between 174 and Route 11. Chairman Martin stated that the speed limit on Route 233 between 11 and 174 needs to be lowered. He stated the speed limit on the road from Newville to 11 is 45 and from 174 it is 40, but between 11 and 174 it is 55. A dangerous situation is created when trucks pull out in front of vehicles going 55. The Solicitor stated that we should have a traffic survey done. Vice Chairman Sheaffer made a motion to have the Traffic Engineer do a study on the speed limit on Route 233 between Routes 11 and 174. Chairman Martin seconded the motion. Motion approved.

Controller for I-81 Traffic Signal –Chairman Martin reported that the controller for the traffic signal at the ramps on 81 is leaning. It has been leaning for a while, but the angle is increasing. PA PERCS contacted us; they are afraid it will fall over and cause a lot of damage. It would cost about \$10,000.00 to repair. PERCS feels that it was installed improperly and that the installer should be contacted to come back and install it properly, for free. It was installed by Key Logistics when they developed the land. Chairman Martin made a motion to have the Solicitor send a letter to Key Logistics regarding the traffic signal. Supervisors Seiders seconded the motion. Motion carried.

35 Leeds Road – Chairman Martin reported that the septic system is faulty. At the October meeting we voted to repair the system and put a lien on the property. Vince Elbel and Don Groff were at the property. Long story short, the only way to correct the problem is to put in two 1250 holding tanks. The problem is the tanks will need to be pumped constantly. We don’t believe the property owner will pump the tanks. Chairman Martin wondered the feasibility of chemical toilets. The Secretary stated that they do laundry and have running water so she believes they have to have a septic system of some type. Does the Township want to go ahead with the repair and explain to the Haymens that they need to pump the tanks. The Solicitor stated that if they want to live there, they have to let us install the tanks, put a lien on the property and if they can’t afford to do the pumping they have to move out. The Secretary stated that the trailer is completely closed off; no one can see inside, there is no fresh air or

daylight. The Solicitor suggested that we contact the Health Department. The Secretary will find a phone number and Chairman Martin will contact the Health Department. Chairman Martin stated he was told that there was mold in the trailer before the Haymens bought it and moved in. Mr. Knepp stated that he received a verbal complaint from a neighbor that the Haymens are working on cars and driving up and down the road without mufflers on the cars. They are in compliance with junk vehicles.

CORRESPONDENCE

None

PROJECT UPDATES

None

SOLICITOR REPORT

Stambaugh Tire Bill – Nothing has been received yet. The Solicitor stated he will ask Mr. Stambaugh on Monday at the hearing. Chairman Martin stated there is another issue, Mr. Stambaugh is using Smith road to transport silage and other materials and it is making a mess of the road. Mr. Stambaugh needs to use a drive on his own property. We have heard that he might be moving to another lot that he has subdivided on Ritner near Quarry Hill Road.

FPE Engineering – The Solicitor reported he has been pressing him for the drawings on the culvert, but he received a copy of the cover letter sent to the Secretary for the Ordinances we requested. The Secretary reported that she had not received it yet, but the mail had not arrived before she left earlier in the day. (Secretary checked after the meeting and verified that it was received.) The Solicitor stated that he had asked Bill Green to send him a letter discussing his findings on what is wrong with the culvert. He distributed a draft copy of the letter and asked the Supervisors their thoughts. The Supervisors thought the letter was good. The Solicitor will have Mr. Green put the letter on letter head and will forward a copy to Mr. Shambaugh's insurance company. The Solicitor asked if he should ask Mr. Green if the alignment contains a dangerous traffic condition. After discussion it was decided to have the traffic engineer look at it.

LeDane – The Solicitor will file another judgment against LeDane.

Fish Commission Building - Legislation has been passed that the Fish Commission does not have to comply with local ordinances.

OTHER REPORTS

COG – Chairman Martin reported that the COG meeting was on Monday. Bill Jones from Cooke Township is the 2015 President and Laura Portillo of Dickinson Township is Vice President. Karen Heishman is the new administrator. Representative Bloom and a representative of Mr. Tallman were there.

APPROVAL OF BILLS LISTING

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

SUPERVISORS' COMMENTS

Vice Chairman Sheaffer – We have a scout working on a merit badge attending tonight, David Ferenz, and his father Paul.

Supervisor Seiders – Nothing

Chairman Martin – The road crew has been working very hard on preventive maintenance on the roads, tar & chipping, patching and crack sealing. He stated they are doing an exceptional job.

ADJOURNMENT

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

NEXT MEETING December 11, 2014

Respectfully submitted,

Vicki Knepp
Secretary