

**PENN TOWNSHIP BOARD OF SUPERVISORS**  
**1301 Centerville Road**  
**Newville, PA 17241**  
**Tel: 717-486-3104 Fax: 717-486-3522**  
**Regular Meeting**  
**December 11, 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 and Secretary Vicki Knepp.

**PUBLIC COMMENT**

None

**APPROVAL OF MINUTES**

Vice Chairman Sheaffer made a motion to approve the minutes from the November 13, 2014 Regular Meeting. Supervisors Seiders seconded the motion. Motion approved.

Vice Chairman Sheaffer made a motion to approve the November 30, 2014 Treasurer's Report. Supervisors Seiders seconded the motion. Motion approved.

**APPROVAL OF SUBDIVISION PLANS**

Prinsen Subdivision – The Secretary reported that in September the plan had been approved pending DEP approval of the Septic Module. She received the approval last week and recorded the plans.

**ZONING OFFICER REPORT**

Tim Knepp – Mr. Knepp reported he had one permit application for the month and two complaints. One of the complaints came in today, Mr. Knepp stated he believed it would require help from the Solicitor. Brent Morten from Sandbank Road filed a complaint on behalf of the neighbors. They are concerned about the shooting range at the South Fairview Rod & Gun Club at 1 Point. The residents of Sandbag Road are concerned that it is a hazard to traffic on Point Road. Mr. Knepp stated he went over and inspected it and found other items of concern. The range parallels Point Road. Mr. Knepp stated that his initial thought was that the complaint was about ricochets and rounds going over top onto Sandbank Road. There is an embankment behind the target area, Mr. Knepp showed a close up photo of a rock with a lead strike from a bullet, and he then showed another photo which showed the location of the rock behind the target. Mr. Knepp stated that the ricochet would go out onto or over Point Road, it would be deflected to the left. He then showed several photos that show a tree behind the target that had a bullet hole in it, that shot would have missed the entire embankment behind the target and could have ended up down at Irish Gap Road. We do have an ordinance that covers the shooting range; however, this range precedes the ordinance. He asked the Solicitor what could be done. The Solicitor verified that there has been a formal complaint. He suggested that the State Police

should take a look at it. After a lengthy discussion the Supervisors agreed and Mr. Knepp was directed to discuss the situation with the State Police and get their recommendations. After that we would send a letter to the Gun Club asking them to make it safer.

## **UNFINISHED BUSINESS**

Trash – The Secretary reported that she has one person whose service is stopped that she would like to turn over to the Solicitor for collection and she would like to have the Treasurer pay Southampton pay the \$98.53 due to them. Everyone else has paid their bill.

Septic – As of that morning 236 of the 378 system that are to be pumped in 2014 are done. The Secretary stated that she had received a large stack of reports late in the day. We are roughly 2/3 of the way. She stated that going back through the files, she has not gotten any reports from Oak Tree this year. The Secretary stated that after the first of the year she would like to send a list of all unpumped systems to the haulers and ask them to check their records to see if any had been pumped before we turn them over to the Solicitor. The Solicitor stated that we are down to 4 that have not been pumped for 2013. Chairman Martin suggested that the Secretary contact Oak Tree and tell them if we do not get their reports they will no longer be an authorized pumper in the Township.

Compression Release Brakes – The Secretary reported that she made the revisions to the Ordinance. Vice Chairman Sheaffer made a motion to advertise the Ordinance for the January meeting. Chairman Martin seconded the motion. Motion approved 2 to 1. Supervisor Seiders voted nay.

Burn Ordinance – The Solicitor reported he has a suggestion that he believes is the only way to reasonably address the burning problem for the landscapers in the township. He proposes to add to Section V. Regulations “(9) A fire set by a commercial landscaping or lawn maintenance company which disposes of otherwise lawful materials generated in the course of their business even if the work occurred beyond the boundary of Penn Township, Cumberland County. Said burning must comply in all other respects to this Ordinance as well as regulations of the Department of Environmental Protection of the Commonwealth of Pennsylvania.” Chairman Martin made a motion to add the verbiage to the ordinance and advertise for the January 5, 2015 meeting. Supervisor Seiders seconded the motion. Motion passed on a 2 – 0 vote. Vice Chairman Sheaffer abstained.

Alarm Ordinance – The Secretary reported that she worked with the Codes Officer to modify the ordinance to reflect the need to complete an alarm application with emergency contact information and the other changes requested at the November meeting. She believes that it is ready to be advertised. Vice Chairman Sheaffer made a motion to advertise the alarm ordinance. Supervisor Seiders seconded the motion. Motion approved.

Numbering of Buildings – Mr. Knepp reported that we are bringing the Ordinance into line with the green signage that the Township residents are getting through the fire company. The original ordinance called for 4 inch numbering, the green signs have 3 inch numbers. Everyone agrees that they are sufficient. Chairman Martin stated that we need to add to the ordinance that we are rescinding the original ordinance. We also added that violations are covered under the alternative dispute ordinance. Vice Chairman Sheaffer made a motion to advertise. Supervisor Seiders seconded the motion.

Township Engineer – The Secretary reported that the Solicitor’s office had sent us an RFP. Everyone has a copy. She spent a morning calling other municipalities and has a list of 8 engineering firms that she would like to mail the RFP to. Vice Chairman Sheaffer had one change to the RFP. The Solicitor asked if the Supervisors wanted to conduct interviews. Vice Chairman Sheaffer said that in the RFP it says we will narrow it down to a final three and then conduct interviews. Chairman Martin said we should reword it to say “we may interview up to 3”. The Secretary will mail it to the 8 engineers that are on her list and advertise in the Sentinel. Chairman Martin made a motion to advertise the RFP for engineering services. Vice Chairman Sheaffer seconded the motion. Motion approved.

Gettle Rezoning – The Secretary reported that at the last meeting the Solicitor requested that she contact the Gettles to ask for a 60 day extension. The Secretary reported that she sent the Gettles a letter requesting the extension and why it was requested. She has a copy of a signed letter from the Gettles granting the extension. She stated she has not received comments from the Planning Commission yet.

Hodecker – Mr. Knepp explained that the fire department received a call for a log pile on fire on November 18, 2014. It was at Mr. Hoedecker’s property back where he has his sawmill. The pile was typical logs that would be brought in by a log truck. It was approximately 75’ long, and 15’ high. It was a windy day and the center of the pile was burning fiercely. The fire company elected to wait for the foam truck and they dumped Class A foam on it. However, they could only do so much with the pile as it was. Mr. Knepp stated he asked Mr. Hoedecker if he had any equipment on site that could tear the pile apart or could he get a log truck in to do so. Mr. Hoedecker replied that he did not and at that time of day they would all be busy. Mr. Knepp told Mr. Hoedecker that he could call the Township for a backhoe, but he (Mr. Hoedecker) would have to pay for it. Chief Kough witnessed the discussion. The Roadmaster came out with the backhoe and tore the pile apart. When a log truck arrived the Roadmaster moved out of the way and returned to the Township. Mr. Knepp reported that he received a call from Mr. Hoedecker disputing the “gouging” by the Township for the backhoe. He claims we were not there as long as billed for and he called around and could have gotten a backhoe cheaper. The bill from the Township was for \$390.00, 3 hours for the backhoe at \$75.00/hour and 3 hours for personnel at \$55.00/hour. Mr. Hoedecker sent a check for \$132.00 with the back of the check saying that by cashing the check the Township was accepting it as payment in full. He also included a note stating that the Township was gouging him and he only paid for 1 ½ hours at \$88.00/hour. Mr. Knepp stated he had a copy of the fire report with a printout from the County 911 center with a chronology of what occurred showing when the township equipment arrived on the scene and departed. The equipment was on the scene for 2 hours and 21 minutes. Plus 15 minutes each way travel and time to refuel the backhoe. In addition, Mr. Hoedecker is getting a deal, Bobby Dean spent an hour cleaning the backhoe, the Township had to replace a tooth that the rubber burned up in the heat and they are going to have to replace the air filter because it still smells like burning logs. Mr. Knepp stated that if he had known he would have done an investigation of the fire. Mr. Hoedecker’s story does not pan out. Vice Chairman Sheaffer made a motion to have the Solicitor file against Mr. Hoedecker. Supervisor Seiders seconded the motion. Motion approved. The Secretary provided the Solicitor with the original check and note from Mr. Hoedecker as well as a copy of the invoice.

Traffic Controlled at I-81 – Chairman Martin reported that he received a call about the traffic controller from CM High. They said it was no longer under warranty so they would send us an estimate to repair it.

Speed Study on Route 233 – We discussed this at the last meeting. Right after the meeting Chairman Martin noticed that the speed from Route 11 to I 81 on 233 had been lowered

to 45; however, from 81 to Rt. 174 it is 55 and then it goes to 40 when it crosses 174. PennDOT told him they do not want to change a speed limit in the middle of the road. PennDOT said if we request it they will look at it.

## **NEW BUSINESS**

Robert Lloyd, Pet Cemetery – Mr. Lloyd asked what would be the requirements from the Township for someone to have a pet cemetery on part of their property. Mr. Knepp stated that a cemetery is a permitted use in our zoning. He said he also did a cursory internet search for DEP regulations and the only thing he could find was they required reassurance that there would be no well contamination. Mr. Lloyd stated that they would all be cremains.. The Solicitor asked that Mr. Lloyd would prepare a memo for the Code Officer outlining the dimensions of the cemetery and that it would be cremains only. Mr. Knepp stated that would all be part of the application. Mr. Lloyd said he is only on a fact finding mission, just checking to see if it is at all possible. Mr. Knepp stated it is doable, pending the information received on the application. Mr. Knepp asked if there would be markers. Mr. Lloyd said it might be a flat marker with name and dates; however he wants it to be easy to mow over. Chairman Martin asked if he would have a place for people to visit, if so, Mr. Lloyd would probably have to have a parking area and at least one handicapped parking space. Vice Chairman Sheaffer stated any business has to have handicapped parking, but he did not know if this would fall under that category. Mr. Knepp asked if this is a business under the ordinance. If it is, then you get into the parking issues. Vice Chairman Sheaffer stated they are not going to park Fido there forever for free. Mr. Lloyd thought three or four parking spaces. Mr. Knepp asked if Mr. Lloyd was planning any signage. Mr. Lloyd stated he had posts up from an old sign. Mr. Knepp stated that if he wants a sign he needs to be sure to include it in the application.

1438 – 1471 Pine Road – The Secretary reported that County GIS had met with Chairman Martin and her. They are concerned that the properties back in the mountain behind the trailer park are too confusing for emergency services to find. They are suggesting that we give the lane going back into these properties a new name rather than having a Pine Road address for the properties. Mr. Knepp stated he does not understand how renaming the road would help. The numbers split off in all different directions and are not in order. The Secretary stated that County is also talking with Dickinson Township about this. Mr. Knepp asked what constitutes a road as opposed to a driveway. They are all unimproved dirt lanes splitting off all over the place. The Solicitor stated that if they are named it should be a lane, not road. Mr. Knepp stated they have never had any problems finding the numbers. Chairman Martin stated the road coming through the trailer park is Dickinson's call. We could make it better with better signage. Mr. Knepp stated he would like to wait until the new numbering ordinance is in force. Chairman Martin made a motion to table it. Vice Chairman Sheaffer seconded the motion. Motion approved.

PSATS Ordinances – The Secretary stated there were three PSATS Ordinances, mainly administrative, on Health Insurance, Pension Plan and Unemployment Compensation. Vice Chairman Sheaffer asked if they could do this as one motion. The Solicitor asked if they had been advertised. The Secretary stated they had. He said then they could be one motion. Vice Chairman Sheaffer made a motion that we adopt Ordinance 2014-05 Health Insurance Trust Agreement, 2014-06 Pension Trust Agreement, and 2014-07 Unemployment Compensation Trust Agreement. Supervisor Seiders seconded the motion. Motion approved.

PSATS Pension Plan Disclosure Statement – The Secretary stated we need to adopt the disclosure statement and post to the website. This is done annually. Vice Chairman Sheaffer

made a motion to adopt the Pennsylvania Municipalities Pension Trust Act 44 Disclosure Form. Supervisors Seiders seconded the motion. Motion approved.

New Tractor – Chairman Martin stated that in the budget we allocated money for some new equipment, one of which was a new tractor. Stephenson's Equipment notified us there will be a price increase after the first of the year. If we sign a sales agreement before the first of the year we will be able to get the tractor before the mowing season at the reduced rate and Stephenson's will give us a value to sell the old. Chairman Martin made a motion to approve the purchase of a new tractor in 2015 with the mower. Vice Chairman Sheaffer seconded the motion. Vote passed 2 -1 with Supervisor Seiders voting nay.

## **CORRESPONDENCE**

None

## **PROJECT UPDATES**

None

## **SOLICITOR REPORT**

FPE Engineering – The Solicitor stated that he wrote to Mr. Shambaugh and thanked him for sending the ordinances and forwarded a check for \$765.00. He told Mr. Shambaugh that he is also holding a check for \$8,000.00 which he will forward to Mr. Shambaugh when he provides us with the original bids and the before and after photos of the South Side Road culvert. He is going to have the final letter from the current engineers soon.

Tony Sennett – The Solicitor distributed copies of a letter that he sent to Mr. Sennett regarding the Township right-of-way.

The Solicitor asked if we got the PennDOT memo regarding road materials. The Secretary stated we had and she gave it to the Roadmaster and Treasurer. Vice Chairman Sheaffer was not sure what it was about. Chairman Martin stated that in August, after all bids for road materials were already done, PennDOT said you cannot use Liquid Fuels to purchase Type 2 anti-skid, but if you purchase AS 3 you can. But it comes off of the same pile as the Type 2.

LeDane – The Solicitor stated he has filed against Mr. LeDane for failure to clean up junk and debris from his property despite promises to do so, second action. He put the fine at \$700.00 and legal fees at \$300.00 for a total of \$1,000.00. The combination of the two judgments against Mr. LeDane should make it worthwhile for a sale.

Stambaugh – The hearing for the Stambaughs was the previous day. Stambaughs said they could not afford a \$1,000.00 fine; they could only afford \$500.00. The Magistrate gave them until March 1, 2015 to clean up the property. If it is not cleaned up by then, she will levy the full \$1,000.00 fine. Mr. Knepp stated that he has a call in to John Eply of West Pennsboro Township to coordinate with them. It seems some of the items that we are complaining about are being moved back over to the West Penn side of the road. Mr. Stambaugh just keeps moving them back and forth. In addition the Judge had questions on the actions taken by West Penn and we did not know. The Secretary reported that on Tuesday the Roadmaster got a call from PSP to clean up Smith Road, the mud and debris were a hazard. She has an invoice for the Stambaughs

for that clean up. The Solicitor requested a copy of the invoice. Chairman Martin stated we had sent Mr. Stambaugh a letter requesting he use a road internal on his property. Mr. Stambaugh complained that the gutters don't drain the water out. They don't drain the water out because Mr. Stambaugh has three driveways coming off of his property that come down hill and the silt fills in the gutters. If he would use an internal road we could fix that up.

35 Leeds Road – Chairman Martin spoke with his cousin who was formerly in charge of Safe Harbor in Carlisle, she gave him the name of an organization to speak with; however, when we researched the organization they only cover Carlisle School District, South Middleton School District and Middlesex Township. The Secretary stated we really have to come up with a solution before the weather warms up. The Secretary was told to contact the SEO and see if DEP can offer any assistance through grants.

### **OTHER REPORTS**

WCCOG – Chairman Martin reported that there was a COG meeting the previous Monday. There was a comment made that the UCC has exempted other additional buildings. The Secretary stated that she has heard nothing. Bill Jones will be the President for next year and Laura Portillo will be Vice President. North Newton is producing a map and guide for their township. West Pennsboro is looking at accepting credit cards for payments.

### **APPROVAL OF BILLS LISTING**

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

### **SUPERVISORS' COMMENTS**

Chairman Martin stated that two residents are highly upset that their mailboxes were taken down by flying snow. They are near the fish hatchery ponds. The land goes up into a bank. The residents can't move their mailboxes out of the right-of-way because the mailman can't reach them. The Roadmaster said the post for one of the mailboxes was rotten so when the snow hit the mailbox it took the post off.

### **ADJOURNMENT**

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

### **NEXT MEETING January 5, 2015**

Respectfully submitted,

Vicki Knepp  
Secretary