

PENN TOWNSHIP BOARD OF SUPERVISORS
1301 Centerville Road
Newville, PA 17241
Tel: 717-486-3104 Fax: 717-486-3522
Regular Meeting
January 5, 2015

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 11, 2014 Regular Meeting. Supervisors Seiders seconded the motion. Motion approved.

Chairman Martin stated that we were approximately \$14,000 over for 2014. Vice Chairman Sheaffer stated some of that was for the Eagle Scout projects. In addition we used some of the General Fund for the new dump truck and repairs to the old trucks. Vice Chairman Sheaffer made a motion to approve the December 31, 2014 Treasurer's Report. Supervisors Seiders seconded the motion. Motion approved.

APPROVAL OF SUBDIVISION PLANS

None

UNFINISHED BUSINESS

Trash – The Secretary reported she did not have a new listing as Southampton was sending the bills out that day. She asked permission to send letters out to the delinquent accounts around the 15th of the month and stop any unpaid accounts at the beginning of February. Vice Chairman Sheaffer made a motion to authorize the Secretary to send the letters. Chairman Martin seconded the motion. Motion approved.

Septic – The Secretary reported that as of today, 293 of the 378 tanks due to be pumped in 2014 were done. That is approximately 77%. She will wait for a couple of weeks before sending the lists to the haulers to see if she is missing any reports. The Secretary reported that she frequently gets reports that are for properties in other townships. She always faxes them to the correct municipality. However, she never gets any reports from other municipalities. She wondered if they were just throwing them out. Chairman Martin stated that was something that can be discussed at COG.

Compression Release Brakes – Chairman Martin asked if the Ordinance was advertised. The Solicitor stated he had advertised all four ordinances that were being voted on tonight. Vice Chairman Sheaffer made a motion to adopt Ordinance 2015-01 Compression Release Brake

Ordinance, specifically for the villages of Huntsdale and Centerville. Chairman Martin seconded the motion. Motion approved on a 2 to 1 vote with Supervisor Seiders voting against.

Burn Ordinance – Chairman Martin reported that the only change to the previous Burn Ordinance is allowing landscapers who reside in the Township to burn lawful materials generated outside the Township in the course of their business. Chairman Martin stated that the landscapers will have to comply with all other terms of the Ordinance such as time of day, days of the week, etc. Chairman Martin made a motion to approve Ordinance 2015-02 Open Burning. Supervisor Seiders seconded the motion. The motion passed on a 2 – 0 vote. Vice Chairman Sheaffer abstained from voting since it would be of benefit to him.

Alarm Ordinance – Chairman Martin stated the purpose of this Ordinance is to help cut down on the number of false fire alarms that the fire company responds to. The Secretary stated it sets the fines for false alarms; the first two false alarms are warnings, then there is an increasing fine for each additional false alarm in a 12 month period. The fines for residential alarms are less than those for commercial properties. The Secretary stated the Ordinance also establishes the procedures and fees for alarm system registration. This provides emergency contact information. There is no fee to register a residential alarm. The fee for a commercial alarm is \$25.00. Chairman Martin stated he feels that since the fire company is the one who must respond to these alarms, the fines should be reimbursed to the fire company. Vice Chairman Sheaffer agreed. Vice Chairman Sheaffer made a motion to approve Ordinance 2015-03 Regulating Alarm Systems. Supervisor Seiders seconded the motion. Motion approved.

Numbering of Buildings – Chairman Martin stated that this is a rewrite of an existing ordinance. The original ordinance required 4 inch numbering; however, the signs made by the fire company are only 3 inches. The fire company believes that the 3 inch numbers are sufficient. The ordinance has been rewritten to comply with what people are using. Vice Chairman Sheaffer made a motion to approve Ordinance 2015-04 Numbering of Buildings. Chairman Martin seconded the motion. Motion approved.

Traffic Controller at I-81 – Chairman Martin reported that we have received an estimate of \$1,985.00 to repair the leaning control box at Centerville and I-81. Vice Chairman Sheaffer asked if it could be paid out of Liquid Fuels. Yes. Chairman Martin made a motion that we accept C. M. High's estimate for the repair of the pad for the traffic light controller at Centerville Road and I-81. Vice Chairman Sheaffer seconded the motion. Motion approved.

35 Leeds Road – Chairman Martin stated we have had an ongoing problem with the septic at the trailer located at 35 Leeds Road. The system has a tendency to bubble up in the back yard. The SEO said the water table is so high nothing can be done about it. The system is overloaded and the lot is so small they can't put another system in. Chairman Martin stated he has to give the SEO a lot of credit; he has been to the property multiple times trying to find a way to help the residents out. The last time he stopped in he spoke with Mr. Hayman who told him the toilet had been leaking for a year and a half, 24 hours a day. It was overloading the system. They have now shut off the water to the toilet and only turn it on twice a day. The SEO said he will continue to keep an eye on the system, at least through the summer to make sure it is OK. The Secretary reported that she has sent the SEO out on a complaint today at 1846 Walnut Bottom Road in Centerville. A neighbor called and complained that the septic was running out and freezing on his right of way. She stated that there was a note on the septic pumping report that there was a problem with the system and she sent the SEO a copy of the report.

NEW BUSINESS

Committee Appointment Resolution – Chairman Martin stated that last year we had a member of the Zoning Hearing Board whose term ran out in July and we missed it. He is proposing that we adopt Resolution 2015-006 which sets the expiration dates for the Planning Commission, Zoning Hearing Board and Park and Recreation Committee for December 31 of the last year of members terms so that they are reappointed at the Reorganization Meeting in January. He believes that there is less chance that we will miss reappointing someone that way. Vice Chairman Sheaffer made a motion to adopt Resolution 2015-006. Supervisor Seiders seconded the motion. Motion approved.

Special Fire Police Policy – Chairman Martin stated that Resolution 2015-007 is the same as last year, authorizing the Fire Police to assist the Township and surrounding municipalities with traffic control in the event of emergency and non-emergency situations. The Fire Police are covered under the Township Workers' Compensation Plan and they require the Board of Supervisors approval of special events. Any request for fire police from any organization not affiliated with a municipality or fire company, such as a church or non-profit organization, must be submitted to the Penn Township Board of Supervisors for approval prior to the date event. Vice Chairman Sheaffer made a motion to approve Resolution 2015-007. Supervisor Seiders seconded the motion. Motion approved.

Deputy Tax Collector – Chairman Martin asked Tax Collector Mabel Stitt if the Deputy Tax Collector issue has been solved. Ms. Stitt stated she has appointed Carolyn McQuillen, Dickinson Township Tax Collector, as her deputy. She asked the Supervisors if they would be willing to sign the form. She stated that the School District will not. The Solicitor state that it has been discussed at the COG, the different municipalities are teaming up and working with each other. The Solicitor stated that when the Borough of Newville had problems they had to jump through hurdles. Vice Chairman Sheaffer made a motion to approve the appointment of Carolyn McQuillen as the Deputy Tax Collector for Penn Township. Supervisor Seiders seconded the motion. Motion approved.

ZONING/CODES ENFORCEMENT

Tim Knepp reported that he had one new permit for the month, a garage for 208 Leeds Road. There were a total of 56 permits issued in 2014, three of which required Conditional Use Hearings. He had a total of 30 complaints for the year.

CORRESPONDENCE

None

PROJECT UPDATES

None

SOLICITOR REPORT

Hearings - LeDane hearing is Wednesday, January 21 at 9:00 AM. Tomorrow is the start of the septic hearings. Mr. Rabanal's hearing is tomorrow at 10:40 AM. He has notified the Judge of his intent to defend. The Secretary was directed to attend with the Solicitor. She should bring all her correspondence with Mr. Rabanal.

We have received the signed Lease Agreement from the County.

Tony Sennett has contacted his attorney, they are studying our survey and are not objecting that we moved the logs that were in the right of way, but they are concerned about having to remove the sign and gate. Chairman Martin stated that Mr. Sennett had contacted him and said that it was going to take a lot to remove it. Chairman Martin stated in November he had asked Mr. Sennett to bring in his deed so we could check it, he has not done so. Chairman Martin believes that Mr. Sennett is trying to claim it is his land. The Solicitor stated it will take a different survey.

Stambaugh – the result of the Stambaugh process was that the Stambaughs have promised to meet the deadline set up by the Judge, March 1, to get materials removed. Chairman Martin stated he knew Mr. Stambaugh had started. There was a big metal round silage/storage container that he put on a trailer and was hauling it up Ritner Highway, tearing wires down. They ended up with four police there, PPL and fire police. He was stopped in Stoughstown. The cleanup is apparently not going well. Mr. Knepp reported that he has spoken with John Epley regarding Mr. Stambaugh. He intends to meet with Mr. Epley and work out a plan to keep Mr. Stambaugh from moving things back and forth between the Townships. The Solicitor stated we should also have Mr. Epley at the March hearing.

FPE – The Solicitor reported that he has sent a letter to Mr. Shambaugh and explained that he had a check for him if he would send us the documents. He has not received the documents so he still has the check. The Solicitor wants to move forward with getting it done but we need to deal with the new engineer issue first. The Secretary stated we need to get started working on the plans as soon as possible if we are going to bid and repair the culvert this year. Chairman Martin stated we need to have a plan in place by April. The Solicitor stated that he will need a report from the new engineer unless we keep the current engineer.

Hoedecker – The Solicitor stated he has done nothing yet.

ENGINEER RFP

Chairman Martin asked Vice Chairman Sheaffer and Supervisor Seiders if they had reviewed the proposals, Vice Chairman Sheaffer stated he did, Supervisor Seiders had not. Chairman Martin stated as he reads the proposal our actions can be to select up to three firms to interview or we can select one tonight. The Solicitor asked how many proposals were received. Chairman Martin stated we had received 6. He believes they are all very well qualified; however, some were a little further away then he would like and some were extremely large and had SEO's, Building Inspectors, etc. If we were in the market and needed all services wrapped up in one, that would be great, but they are a lot more money than the smaller firms. He believes that we need to look at the smaller firms. We already have a traffic engineer and an SEO and our need for things like a specialized bridge engineer are small. Vice Chairman Sheaffer agreed, he believed that four of the firms were overkill for our needs. He believed either Brehm-Lebo or Martin & Martin could meet our needs and we could be comfortable working with either of these companies. Also, the costs are similar between these two organizations. Chairman Martin agreed. He asked Vice Chairman Sheaffer which he would recommend. Vice Chairman Sheaffer stated only because we have personal contact with them, his first instinct is to go with Brehm-Lebo. Chairman Martin stated he is leaning toward Brehm-Lebo because they have done a good job while filling in on a temporary basis. We have been satisfied with what they have done for us in regard to the situation with FPE. Chairman Martin stated that one of the positive points for Martin & Martin is that our engineer would be a

Township resident. The Solicitor stated that it is important that we have some continuity since we are headed toward litigation. Vice Chairman Sheaffer agreed and stated that time is of the essence with regard to that and Brehm-Lebo has had positive interaction with the Planning Commission. Vice Chairman Sheaffer made a motion to appoint Brehm-Lebo as the Penn Township Engineer for 2015. Chairman Martin seconded the motion. Motion approved.

OTHER REPORTS

WCCOG – No report COG meeting is next week.

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 stated he is pleased that the Solicitor and the Board worked to resolve the burning issue. It seriously impacted his business along with the business of the other landscapers in the Township. He appreciates the efforts in that regard and thanked the Board.

Chairman Martin stated he has a meeting with Kirk Stoner on January 22 on the I-81 concept drawing. They will be going with HATS to PennDOT to introduce the idea. It is moving up the later. They will be working on the Official Map and the concept drawing at the next Planning Commission meeting.

ADJOURNMENT

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

NEXT MEETING February 12, 2015

Respectfully submitted,

Vicki Knepp
Secretary