

**PENN TOWNSHIP BOARD OF SUPERVISORS**  
**1301 Centerville Road**  
**Newville, PA 17241**  
**Tel: 717-486-3104 Fax: 717-486-3522**  
**Regular Meeting**  
**February 12, 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 January 5, 2015 Reorganization Meeting. Supervisors Seiders seconded the motion. Motion approved.

Vice Chairman Sheaffer made a motion to approve the minutes from the January 5, 2015 Regular Meeting. Supervisors Seiders seconded the motion. Motion approved.

Vice Chairman Sheaffer made a motion to approve the January 5, 2015 Treasurer's Report. Supervisors Seiders seconded the motion. Motion approved.

**APPROVAL OF SUBDIVISION PLANS**

None

**ZONING/CODES ENFORCEMENT**

Tim Knepp – Mr. Knepp reported that there were two complaints and one permit application for the month.

We had the LeDane hearing and received a second judgment. Mr. LeDane has 30 days to appeal the decision. Sometime in the middle of April we need to go in with the constable and possibly a dump truck and remove the junk and sell off the good stuff to cover costs. Mr. Knepp stated he had contact the neighbor, Mr. Blanchard, and they would be willing to help with the cleanup. The Solicitor stated that normally the constable arranges for who does the execution. Chairman Martin stated he has a problem going onto someone's property and start taking their personal property. We might want to consider hiring someone else to do so. Vice Chairman Sheaffer stated that at the hearing Mr. LeDane made the comment under oath, just take it all and sell the whole place. Get rid of it. The Solicitor stated that he was crying for help.

The last Stambaugh hearing there was no judgment granted, but it was continued until March 1 where Mr. Stambaugh would have to show that he had removed certain items. The Solicitor stated the hearing is scheduled for March 3. Mr. Knepp stated that he had noticed earlier in the day that many of the vehicles we were complaining about are neatly lined up on the West Pennsboro side. Mr. Knepp stated he had a meeting with John Eply on Wednesday and

there was a whole list of encounters that they have had with Mr. Stambaugh. Mr. Eply said the warehouse deal is back on so the stuff will probably be coming back over to our side. Chairman Martin asked if the trailers have been removed yet. Mr. Knepp replied no. Prior to the hearing we need to get current photos. The Secretary reported that earlier in the week she had spoken with the SEO on the status of Mr. Stambaugh's septic permits. The SEO told her that the property across from the Carriage House perched, but engineer working on the DEP module notified him that the nitrates were too high. That is the only piece of his farm not protected by preservation. Chairman Martin stated Mr. Stambaugh is trying to sell a parcel near Quarry Hill. The Secretary stated that Mr. Stambaugh wants to put a driveway onto the property for sale near Quarry Hill Road. It will exit onto a state road. The Secretary stated that she thought that if it is going out onto a state road we don't do anything with it so she referred Mr. Stambaugh to PennDOT. She received a call from a PennDOT representative who told her the Township needs to write a letter saying they are aware of the driveway and there are no issues with the locations. The Secretary stated if that is the case, she believes Mr. Stambaugh needs to apply for a Zoning Permit and submit all the proper diagrams showing that all the sight distances conform to the zoning ordinance before we could do that letter. Mr. Knepp stated he has a problem with the process, the State is asking us to look at it from our end and say that it is ok, then they will look at it and say whether it can go there. He questioned why we are involved at all. The Solicitor stated there may be issues that the state does not know about. The Secretary stated he does not have a septic permit for the lot. The soil was too compacted and would not perc. The SEO told Mr. Stambaugh to call him back in the spring after he has had a chance to till the lot and break up the soil. The Solicitor stated in that circumstance we should withhold our consent until a septic permit is issued and we are sure it is a viable building lot.

Thumma, Church Road – Mr. Knepp reported that on October 14 Ron Thumma applied for a permit to enclose an existing patio and make it a sun room. On January 6 he went back to UCC and applied for a permit to add on a covered porch. When he did that he used our permit for enclosing the patio to apply for the new UCC permit. He did not apply for a new zoning permit. Mr. Knepp state that he does not know if this was intentional and he is looking for guidance on how to handle it. Chairman Martin stated that the process is that he must get another permit and the Supervisors have given Mr. Knepp the authority to make judgment calls based on the answers he received on how to handle it.

In the newsletter the notice of the Alarm Ordinance and the need to register alarms has gone out. He went to the warehouses and gave them copies of the Ordinance and forms to complete. He also gave the warehouse at 954 Centerville Road their first two warnings.

Beth DeMarco South Side Drive – Mr. Knepp reported that he was at Ms. DeMarco's house on a complaint that had resulted from a civil case. Ms. DeMarco has an apartment at her house that is not allowed or a conditional use for her zoning. Mr. Knepp stated that he had more questions than answers after speaking with her. What constitutes a rental? If a family member moves into a garage is it a rental, if someone lives in the apartment and pays with work product is it a rental. Ms. DeMarco was present and said she is living in her dream home and she cannot manage to live there on her own. There was an apartment above the garage when she bought the property. When she bought the property a friend who had recently gotten a divorce moved into the apartment above the garage. He did work for her and paid \$400.00 a month. She paid all utilities and paid for all the maintenance to the property. The friend had a friend staying with him for two weeks and that friend robbed her. She evicted the friend living in the apartment who then complained to the Township that she had an apartment in an area where it was not allowed. A bathroom was put in the garage after she moved in. She currently has another person living with her, but she buys everything. They call each other roommates, not landlord

tenant. The Solicitor stated there is an easy way around it, you don't have a tenant, and you have a guest and share expenses and property maintenance.

## **UNFINISHED BUSINESS**

Trash – The Secretary reported that she has 6 names that she stopped service on she would like to turn over to the Solicitor for letters. In addition last month the Solicitor sent a letter to Thomas Lock and she would like to have authorization for him to take the next steps to collect the payment. Vice Chairman Sheaffer made a motion to authorize the Solicitor to file suit against Thomas Lock. Supervisor Seiders seconded the motion. Motion approved.

Septic –The Secretary reported that of the 379 septic tanks that were to be pumped in 2014, 323 are completed and there are 56 that are not done. She has sent letters out to all the pumping companies and got the list from 70 to 56. She would like permission to send letters to the people on the list giving them until March 31 to get their septic pumped or we will take action. Vice Chairman Sheaffer made a motion to allow the Secretary to send the letters. Chairman Martin seconded the motion. Motion approved. The Secretary reported that she is preparing to send the cards for 2015, there are only 117 and 34 have already been pumped. The Solicitor reported that he and the Secretary attended the second hearing for Mr. Rabanal. The Judge had continued the hearing to give Mr. Rabanal the opportunity to get it done. Mr. Rabanal called Pecks and basically told Peck's he had no money and would not pay their past bill and was not able to pay another bill so Pecks demanded payment in advance before they would pump his system.

## **NEW BUSINESS**

Application for Planning Commission Dennis Shoff - Chairman Martin stated he would like to provide the application to the Planning Commission. He would like Mr. Shoff to attend the meeting on Monday, February 16 to meet the Commission. Vice Chairman Sheaffer made a motion to table any vote on Mr. Shoff's application until after the Planning Commission has a chance to review. Supervisors Seiders seconded the motion. Motion approved.

Official Map – The Planning Commission meeting on Monday night will be on the Official Map. At the current time Buck Shuller is working on a grant with Tri-County Planning which will help with the Official Map, Comprehensive Plan and Planning.

Tri-County Regional Planning Commission Memorandum of Understanding – The Chairman reported that this is part of the process for applying for grant money. Vice Chairman Sheaffer made a motion to allow the Chairman to sign the memorandum. Supervisors Seiders seconded the motion. Motion approved.

MANASHA/Unilever Problems – The Chairman asked the Zoning Officer if he is aware of the difficulty getting identification from the employees when there is a med call at the facility. It appears as though they are undocumented workers. Chairman Martin felt that we need to report this to the proper authority but he is not sure who the proper authority is. The Solicitor suggested that we contact our Congressman and get his recommendation of who to contact.

Rt. 11 & 233 Traffic Signal – The Secretary reported that earlier in the day she received an email from John Eply. The West Pennsboro Fire Police are asking if a longer cord could be

put on the control box for the traffic signal at 11 & 233 so that they don't have to stand out in the weather to control the light. She contacted Sharon at PA PERCS to find out what can be done. Sharon's suggestion was that they wire a garage door remote to control the light the cost would be \$340.00 - \$375.00. If a cord is done, it will not fit in the box so it would have to be stored off site and would cost about the same price. Supervisors Seiders made a motion to have the remote control installed. Vice Chairman Sheaffer seconded the motion. Motion approved.

Fire Police Vehicle- Chairman Martin reported that the Fire Police have purchased a new used Traffic Unit. The Fire Company, specifically the Fire Police, have requested a donation from the Township to help get it set up. Chairman Martin asked the Treasurer how we were doing on our budget for snow removal. The Treasurer stated that we were already approx. \$1,500.00 over budget. Chairman Martin stated that because of the weather and the budget issues right now he is hesitant to make a donation at this time. We will make sure the annual \$5,000.00 donation is paid in February.

The Solicitor stated that the banquet is coming up on March 23.

## **CORRESPONDENCE**

None

## **PROJECT UPDATES**

I81 Interchange – The Chairman reported that he and Kirk Stoner from County Planning met with PennDOT and HATS representatives. They were very receptive and very happy to see a municipality doing actual planning. The Chairman said he did not realize that the municipality is who starts a project for a federal highway. This also ties in with our Official Map and Comprehensive Plan update.

Subdivision Project – The Secretary reported that the Zoning Officer is currently indexing the subdivision plans in a database to make it easier to find the plans for a property when needed. The Solicitor felt that this is a good idea.

Sign Inventory – The Chairman stated that he has started working on the inventory. It is slow and tedious, but he will continue on with it.

## **SOLICITOR REPORT**

Hoedecker – The Solicitor stated that on behalf of the Township and the Fire Company he has filed suit against Mr. Hoedecker for the fire in November. The hearing is set for March 23 at 10:00 AM. The time will probably get moved if Mr. Hoedecker enters a defense. The total being requested is \$390.00 for the Township, \$487 for the Fire Company, and legal of \$100.00 for \$977.00 plus costs. The Solicitor has not heard back from the State on the position of the Zoning yet.

FPE – The Solicitor reported that he is trying to set up a meeting with the new engineers on the FPE situation. He will keep us updated.

Stambaugh – The Solicitor stated that he thinks it is important that we keep in touch with the adjoining townships in which Mr. Stambaugh operates. Chairman Martin stated that Mr. Stambaugh has 3 areas on Smith Road that he uses to access his property on Smith Road. They are all in hilly areas and drain silt into the road and the road floods. In wet weather he

drags mud and debris onto the road. We have to go over and clean up the road. We have suggested that he use an internal road, but it does not seem to sink in. Do any of those constitute a driveway or is it just an access for farming.

Unilever – The Solicitor stated the Secretary had notified him that she was having problems getting the Developer’s Agreement paid. The Secretary reported that Reid Townsend had the property manager contact her, the property manager was able to obtain a purchase order from her contact at Unilever. The bill has been resubmitted and she has not received a rejection. She has contact information to get a purchase order next year.

Chairman Martin stated that one of the comments made is that the driveway into the warehouses needs to be redeveloped. That might be a problem.

## **OTHER REPORTS**

WCCOG – Chairman Martin reported that the warehouse project in West Pennsboro is now back on with a new developer. Movement should be made on getting the water tower up. There are a large number of candidates for County Commissioner this year. There are seven candidates; three have been at the COG meeting so far. Paul Rampulla was at the meeting. He talked about the plumbing requirements for UCC and said that they need to be notified of any demolition to come out and inspect prior to the demolition. The Secretary stated that we do not require a permit for demolition so she does not know when someone is doing demolition.

Audit – Chairman Martin asked the Treasurer how the audit is going. She reported as far as she knows it is going fine. The Auditors thought they would be finished last Thursday, but Mr. Leeds was not able to attend.

Health Insurance – Chairman Martin asked the Treasurer if the health insurance problem has been straightened out. She said yes, but we have not received our refund yet. It will be about \$67,000.00 a year.

Employee Raises – Chairman Martin stated the employee raises were tabled at the Reorganization meeting pending the outcome of the health insurance. Chairman Martin stated that we need to address pay raises for the staff. He stated that we are right about the middle of the salary range according to PSATS. We have a small staff that does a good job. Vice Chairman Sheaffer made a motion to give all hourly employees a 2% across the board increase retroactive to the first pay in January. Chairman Martin seconded the motion. Motion approved.

## **APPROVAL OF BILLS LISTING**

## **SUPERVISORS' COMMENTS**

Vice Chairman Sheaffer stated it is nice to have an audience tonight. We are usually talking to ourselves.

## **ADJOURNMENT**

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

**NEXT MEETING March 12, 2015**

Respectfully submitted,

Vicki Knepp  
Secretary