

PENN TOWNSHIP BOARD OF SUPERVISORS
1301 Centerville Road
Newville, PA 17241
Tel: 717-486-3104 Fax: 717-486-3522
Regular Meeting
April 9, 2015

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, Solicitor Marcus McKnight, Treasurer Martha Sheaffer and Secretary Vicki Knepp. Supervisor Seiders was absent due to surgery.

PUBLIC COMMENT

Brian Linsenbach, attorney for Terry Shettron and Justin Foster had a few questions. Mr. Foster is Mr. Shettron's cousin. He would like to purchase Mr. Shettron's property and business on Kutz Road. It will be just a continuation of the same business. He believes that according to our Ordinance he will not need any hearings. Vice Chairman Sheaffer asked if it would be the same type of business. He was informed that it was. Chairman Martin asked if Mr. Foster planned on expanding the size of the business. Mr. Foster replied he was not. There will be no additional buildings and no additional truck traffic. Mr. Shettron stated that he builds horse trailers on the east side of the building and Mr. Foster uses the west side for repair and fabrication. Mr. Shettron intends to remain. The will become Mr. Foster's tenant instead of Mr. Foster being his. The Supervisors felt that there would be no problem.

APPROVAL OF MINUTES

Vice Chairman Sheaffer made a motion to approve the minutes from the March 12, 2015 Regular Meeting. Chairman Martin seconded the motion. Motion approved.

Vice Chairman Sheaffer made a motion to approve the March 31, 2015 Treasurer's Report. Chairman Martin seconded the motion. Motion approved.

APPROVAL OF SUBDIVISION PLANS

None

MARY KUNA

Ms. Kuna introduced herself; she is the Economic Developer with Cumberland Area Economic Development Corporation and Cumberland Valley Visitors Bureau. She helps businesses grow in the County and brings new businesses to the County. She helps them find appropriate locations and helps them find funding.

UNFINISHED BUSINESS

Trash – The Secretary reported that she has a new list from Southampton Township. Bills just went out so the list is rather lengthy. She asked for permission to send letters out to the delinquent accounts telling them if the bills are not paid by the end of the month their

service will be stopped. Vice Chairman Sheaffer made a motion to have the Secretary send the letters. Chairman Martin seconded the motion. Motion approved. The Solicitor stated that he believes it is bad practice to accept less than payment in full. The Secretary stated that in the past she has told people they can make payments and then they never did so she does not anymore. She lets it up to Southampton to decide if they want to accept partial payments.

Septic – The Secretary reported that out of the 378 septic systems that were to be pumped in 2014 there are still 20 to be pumped. She would like permission to turn the list over to the Solicitor next week. Vice Chairman Sheaffer made a motion to turn the list over to the Solicitor. Chairman Martin seconded the motion. Motion approved. Of the 117 to be pumped in 2015 40 have been done already.

Third Road Crew Employee – Chairman Martin stated that the Board voted to hire a third full time road crew employee at the March meeting. The position has been advertised twice. We will take applications until the 23rd.

DJ Office Maintenance Agreement – The Solicitor has drawn up a draft for the Supervisors review. He has not spoken with John Lopp yet. He would like the Supervisors to review and let him know their thoughts before he does. We propose to pay the County \$500.00/year and they would perform the maintenance items set forth in the second paragraph of the Agreement. If it looks OK he will share it with Mr. Lopp. The impression is that the County will look favorably on this. Chairman Martin stated it was their idea.

Resolution 2015 – 007 – This Resolution is to establish a pay range for each position to allow leeway if a new person is hired. Chairman Martin stated the ranges are in line with PSATS survey results for townships of less than 3,000 residents. Vice Chairman Sheaffer made a motion to adopt Resolution 2015-007. Chairman Martin seconded the motion. Motion approved.

I-81 Interchange – Chairman Martin stated that back in July we started the I-81 concept which led to an application submission to Tri-County Planning for a Regional Connections Grant. Buck Shuller, Kirk Stoner and Chairman Martin got together and Mr. Shuller completed the Grant Application. We have received a letter stating that we have received our full request of \$28,000.00. There were a total 9 submissions for the grant; TCRP awarded a total of \$100,000. We will add \$12,000.00 in matching funds.

NEW BUSINESS

Vickie Wallick – Chairman Martin stated we received a letter from Ms. Wallick accusing us of intentionally throwing dirt and macadam on her fence while we were plowing snow. Chairman Martin stated he came in one morning and there was a pile of dirt and macadam in the parking lot, she returned it to us. She called the State Police and told them we intentionally did this. She lives on Beetem Hollow Road and we are going to be cleaning the gutters out and widening the road. In addition, two years in a row she has ignored letters from us that her trees need to be trimmed they are hanging out into the right-of-way and one in particular is causing visibility problems for school buses trying to pull out at Beetem Hollow and South Side. Chairman Martin stated we will be sending a letter out to her telling her the trees must be trimmed and what we are planning to do to the road.

Hassinger Drive – Vice Chairman Sheaffer reported that there is a feud between the Ries and Wenger. Hassinger Drive is a Township right-of-way to give access to the Civil War

Cemetery at the back of the Hassinger property. For 15 years there have been no issues; however, recently the County required that we put a name on the drive. Since the Hassingers have lived on that property for the last 100 years we named it Hassinger Drive. Apparently Mr. Wenger took offense to that. Right after the sign was put up he started encroach on Mr. Reis's property with his tractor trailer putting bit ruts in the lawn. Vice Chairman Sheaffer spoke with both parties, but they will not talk to each other about it. Mr. Wenger hired a surveyor, the stakes are now there. Vice Chairman Sheaffer stated if he is reading the stakes properly, Mr. Wenger is way over onto the Hassinger/Ries property. Hopefully this will resolve the problem. Both parties have threatened to sue each other, the Township and the Supervisors. The Solicitor asked if it made sense to abandon the drive and make it private. Chairman Martin felt that would be the best choice. He does not believe that anybody uses it and it is nothing but a private driveway. The Solicitor stated that if the situation is not resolved we should abandon it. Vice Chairman Sheaffer wanted to know how difficult it is to abandon a road. The Solicitor stated we would need to do an ordinance and notify the residents. There would have to be a public hearing. He believes that if we do it right now it might make the situation worse.

Diesel Fuel – The Secretary reported that she got the notice of the diesel fuel prices for the 2015/16 contract. It is approximately .98 a gallon cheaper than the previous year. The winter additive is .02 cheaper. She has written the purchase order letter and it is for 500 gallons more than the previous and is \$3,314.90 less.

CORRESPONDENCE

The Secretary reported that she received two notices in that day's mail which she has turned over to the Solicitor regarding two properties that did not sell at the Sherriff sale last year. They will be going up for Judicial Sale on July 9. If she reads the notices correctly, liens will be dropped. One was a property on Blue Pond Road, the only thing due was taxes. The other is the property at 1845 Walnut Bottom Road, besides the past due taxes, there are numerous bills for mowing and maintenance on the property. The Solicitor stated it depends on what they bring.

The Secretary reported that 2258 Pine Road has been sold.

PROJECT UPDATES

Chairman Martin reported we got the dump truck back from the factory today.

The Secretary reported that Brehm-Lebo is working on the DEP permit for the South Side culvert. The Solicitor provided the Supervisors with the draft of a letter he wants to send to John Shambaugh. The letter has a copy of the Brehm-Lebo report attached. If no response by April 20 he recommends that we file action to secure the photographs and documents and compensation to correct the deficiencies. We need to get something filed; negligence has a two year statute of limitations. He returned the check written to FPE in October to the Treasurer.

ZONING/CODES ENFORCEMENT

Mr. Knepp reported that he had 4 permit applications, all approved in the past month. He also had three complaints. One of which was from the tree farm about trash blowing onto their property from 1139 Centerville Road. While he was investigating that he discovered a small dump to the rear of 1135 Centerville Road with appliances, tires, cans and junk. He has sent both property owners letters to clean up the materials. In addition at 35 Leeds Road they have exceeded the allowable number of junk/unregistered vehicles. They also have old,

unrimmed tires sitting out. We have sent them a letter giving them 30 days to comply with the Ordinance. He passed a photo around and asked the Supervisors if they could explain what they are looking at. It appears to be some sort of vent with pillows packed around it. He is concerned that it might be a heating vent. The Treasurer suggested that it was a dryer vent.

Mr. Knepp reported that he has a phone message from Attorney Flowers regarding Hodeckers. The message was given to the Solicitor to return the call.

6 Quarry Hill Road. – Mr. Knepp reported that along with Paul Rampulla he conducted an inspection of the Stambaugh property at 6 Quarry Hill Road. A packet of photos and a two page report of violations were given to the Supervisors. Mr. Knepp reviewed the violations with the Supervisors. The Secretary was directed to send a letter to Shirley Stambaugh with the findings and giving her a 90 day deadline to correct the life safety issues. She may take longer with the non-life safety issues as long as they show they are making progress. The Secretary reported that on the previous day Mr. Stambaugh had dropped off a copy of his appeal of the District Magistrate's most recent decision against him. The Solicitor will handle it. The Solicitor reported that they have a meeting the next day with the developer and attorney for the West Penn portion of Mr. Stambaugh's property. Some of the issues that will be required are the removal of the mobile homes, stop using the three access drives off of Smith Road and to stop using the manure pit along Smith Road. In addition Mr. Stambaugh amended his permit application for the two mobile homes and the barn to just include a barn. The Secretary asked what should be done with that application. She was told that it would be discussed at the meeting the next day and a decision would be made then. At the least, a new diagram will be required.

LeDane Property – After the most recent judgment, the Township was going to take action at the end of April. Who will do the cleanup, the Township or a third party contractor? Chairman Martin thinks that we should have a contractor do it. We need to have someone from the Township there if we have a contractor do it. Chairman Martin & Vice Chairman Sheaffer will take a look at the property tomorrow and then make a decision on how to handle it.

SOLICITOR REPORT

The Solicitor reported that John Eply will be leaving West Pennsboro Township. He is going to Shippensburg as their manager.

Hodecker – A decision has been made in the Hodecker case. Mr. Hodecker is responsible for the Township bill in full and the Fire Company bill for the foam, but not the sandwiches. The Solicitor asked if we want to pursue filing charges about the sawmill operation since we have received the Attorney General's ruling that our Ordinance is not unreasonable. The Supervisors agreed that if Mr. Hodecker agrees to move the sawmill operation to comply with the Ordinance we will not pursue the action. The Solicitor will have a discussion with Mr. Hodecker's attorney.

At the March meeting the Supervisors approved a rezoning. The Solicitor has written a decision which includes the relevant information, the minutes of the last meeting and a drawing.

Mr. Knepp asked about the Distressed Building Ordinance. He had sent the Solicitor a sample and one addition he would like to see. The Solicitor did not have time to complete the Ordinance. He will work on it for next month.

OTHER REPORTS

WCCOG – Cumberland County completed their update to the Hazard Mitigation Plan. At the May COG meeting all the candidates for County Commissioner will be present. The public is invited. Upper Mifflin Township is withdrawing from the COG. The COG Solicitor is writing a letter to Morton Salt expressing our satisfaction with deliveries.

APPROVAL OF BILLS LISTING

Vice Chairman Sheaffer made a motion to pay the bills. Chairman Martin seconded the motion. Motion approved. Chairman Martin stated we have been having problems with Verizon. We have changed our plan and we are not being charged what we were told and there have been problems getting payments posted to the account.

SUPERVISORS' COMMENTS

Chairman Martin stated that on the previous Tuesday he trained 12 flaggers for Blue Mountain Excavating and the Borough of Newville in the afternoon and another 9 flaggers for Upper and Lower Mifflin in the evening.

ADJOURNMENT

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

NEXT MEETING May 14, 2015

Respectfully submitted,

Vicki Knepp
Secretary