

PENN TOWNSHIP BOARD OF SUPERVISORS
1301 Centerville Road
Newville, PA 17241
Tel: 717-486-3104 Fax: 717-486-3522
Regular Meeting
July 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 not present due to illness.

PUBLIC COMMENT

None

APPROVAL OF MINUTES

Vice Chairman Sheaffer made a motion to approve the minutes from the June 11, 2015 Regular Meeting. Chairman Martin seconded the motion. Motion approved.

Vice Chairman Sheaffer made a motion to approve the June 30, 2015 Treasurer's Report. Chairman Martin seconded the motion. Motion approved.

APPROVAL OF SUBDIVISION PLANS

None

UNFINISHED BUSINESS

Trash – The Secretary reported that Southampton had just billed, so she had a lengthy list. She requested permission to send letters to the people on the list that if their bill is not paid by the end of the month service will be stopped. Vice Chairman Sheaffer made a motion to authorize the Secretary to send the letters. Chairman Martin seconded the motion. Motion approved. The Secretary stated that she had one property she will be sending to the Solicitor for collection.

Septic – The Secretary reported that the systems that were supposed to be pumped in 2014 are down to 7, with one of those 7 scheduled to be pumped on 7/13/15 by Peck's. Vice Chairman Sheaffer made a motion to have the Solicitor proceed on those systems that have not been pumped. Chairman Martin seconded the motion. Motion approved. The Secretary reported that 47%, or 55 out of 117, of the systems due to be pumped in 2015 have been done already.

1520 – 1570 Centerville Road – Letters were sent to these residents and Codes Enforcement Officer Knepp reviewed the discussion of the previous month for the residents in attendance. He explained that the intent is to have an address that is less confusing for

emergency responders; especially since both BLS and ALS providers are from other municipalities. We are looking for ideas for the unnamed road. The road from Centerville Road back to Mary Hall's is Swamp Road. Vice Chairman Sheaffer asked the residents if they had a preference. Mr. Knowlton said they had thought White Oak Lane. Mr. McGonigal stated that he had documents that showed the road as Vale Road. Mr. Knepp stated that he believed there already was a White Oak in Dickinson Township which could cause confusion in an emergency response. The Secretary was directed to check if Vale Road is an available name for the next meeting. She is to send another letter to the residents for the next meeting that it will be on the agenda. The Secretary needs to take a look at numbering prior to the next meeting, also. Mr. Knepp thanked the residents for their cooperation.

Hassinger Drive – Chairman Martin stated he had asked the Roadmaster to get an estimate from Wilsons for repairing Hassinger Drive, he has not seen one yet. The Solicitor suggested we go over the options of what can be done for the benefit of Mr. & Mrs. Wenger. Chairman Martin stated that we want to get Wilson Paving to come out and pave the road, including putting in a base. The problem is it will not be designed to handle a loaded trailer. The Township cannot afford to fix it every year. Our decision is to fix it for normal traffic use and see how it goes. If it is cost prohibitive we could have the option to abandon the road. The Solicitor stated that we are asking Mr. Wenger to not take his loaded truck up the road. Mr. Wenger stated that he is usually loaded every day when he comes home. He loads in Virginia and unloads in Lancaster, so home is on the way. Chairman Martin stated we will table the issue until next month when Wilson has had a chance to look at it.

1 Hassinger Drive – The Secretary reported that she had a request from Mr. & Mrs. Ries to change their address from 1632A Pine Road to 1 Hassinger Drive. She has contacted the Post Office and they have approved the change. The mailbox will remain along Pine Road.

Tony Sennett – The Solicitor stated he spoke with Mr. Sennett's attorney. They would like to have a meeting in the Solicitor's office. We had that section of Irish Gap Road surveyed by Dffenbaugh and also received a copy of the survey that King's Gap had done. Chairman Martin stated that Mr. Sennett told him he had a deed with the boundaries on, he was to bring it into the office, but never did so. We need to get this resolved before winter. If we are unable to reach agreement we will have to take him to court.

Hodecker – The Solicitor stated he had a reasonable conversation with Mr. Hodecker's attorney. He then received an uncooperative letter from the attorney to which he has replied. Mr. Hodecker was out at 5:30 Sunday morning which is not reasonable. The Solicitor stated that when he heard that he also filed with the Magistrate. A hearing has been set for Tuesday, August 18, 2015 at 10:15 AM. He has asked for a fine of \$750.00, attorney fee of \$400.00 and a \$100.00/per day that the sawmill continues to operate in violation of the Zoning Ordinance. The Solicitor asked the Supervisors to ratify this. Vice Chairman Sheaffer made a motion to ratify the filing. Chairman Martin seconded the motion. Motion approved. The Secretary is to attempt to obtain sequential maps showing the field.

LeDane – Vice Chairman Sheaffer stated all the saleable items have been removed from the property and we got a roll off to gather up the rest. Chairman Martin asked what is all the stuff left in the backyard. Vice Chairman Sheaffer said he did not think we had the authority to do so. Mr. Knepp reported that after the last hearing Mr. LeDane told us to get rid of all of it. Vice Chairman Sheaffer said it could be thrown in the dumpster. The auctioneer has not set a date for the auction yet.

Alternative Dispute Resolution – A few changes have been made to the Ordinance to make the verbiage match the citation, no substance change. Chairman Martin made a motion to repeal Ordinance 2013-06 and 2014-02 and approve 2015-05. Vice Chairman Sheaffer seconded the motion. Motion approved.

Resolution 2015-009 Escrow Accounts – The Secretary explained that this had been tabled last month for her to make a few changes as suggested by the Solicitor and the Supervisors. The changes were made and sent to the Solicitor and Chairman Martin for review. Vice Chairman Sheaffer made a motion to approve Resolution 2015-009 establishing escrow accounts for subdivision plans. Chairman Martin seconded the motion. Motion approved.

South Side Culvert – The Solicitor stated the law suit has been filed. He would like to do 3 things in the month: he needs an update on the engineering fees; he wants to write to the attorneys for Mr. Shambaugh telling them what the total damages are and suggesting that if they want to view the culvert they do it soon; and request the discovery items and authorize for one or two supervisors to sign the formal complaint. He would like authorization to file a formal complaint. Vice Chairman Sheaffer made a motion to allow the Solicitor to file a formal complaint against John Shambaugh, FPE Engineering. Chairman Martin seconded the motion. Motion approved. Chairman Martin stated that he and Bill Green had met with DEP and asked them to speed up the permit. We are hoping to be able to start the repair around the end of August.

Rabanal – The Secretary reported that she has not had any response from Mr. Rabanal regarding the check returned for NSF. The check was payment toward a fine. She requested permission to have the Solicitor handle this. Mr. Rabanal has not corrected the problem which caused him to get the fine yet. Vice Chairman Sheaffer made a motion to authorize the Solicitor to file against Mr. Rabanal. Chairman Martin seconded the motion. Motion approved.

NEW BUSINESS

Speed Limit Signs – Farm Road – Mr. Valek from Farm Road has requested that we post speed limit signs on Farm Road. He is concerned because of the Mennonite school located on Farm Road. We have several roads in the Township that do not have speed limit signs, by default the speed limit is 55 MPH. We know that is too fast. There is also a Mennonite church on Hair Road and no speed limit signs there. Chairman Martin will contact Jodie Evans at McMahan to see if they can do a package deal to do speed studies on Farm Road and Hair Road and check with the Roadmaster to see if there are any other roads that should be done, or if she has any other suggestions.

Road Signs – The Secretary stated that she had a request for a “Watch Children” sign. The Roadmaster wanted to know if we can charge for this type of sign. The signs are getting very expensive. The Solicitor said no. The cost of a sign is cheap compared to the life of a child. We need to look at each request and determine if there is a valid need.

Babes in the Woods – The Secretary reported that she received a phone call that day from David Smith. He is writing a book on the “Babes in the Woods” and is having a difficult time determining who placed the sign along Centerville Road and when it was done. He asked if any of the Supervisors had any information. None of the Supervisors present had any information.

CORRESPONDENCE

The Secretary reported that an email was received from the County stating that they would not be doing a drop off electronics recycling this year. They did not have any vendors respond that they were willing to do one.

PROJECT UPDATES

Route 233 Corridor Study – We received 6 responses to our RFP for an engineering partner on the grant. Chairman Martin stated that the panel reviewed all 6 responses and it was their recommendation that we accept the response from Michael Baker International. It is evident that they have a lot of experience. Kirk Stoner from Cumberland County Planning also recommended Baker. Chairman Martin made a motion that we select Michael Baker International as our engineering partner on the Corridor Study. Vice Chairman Sheaffer seconded the motion. Motion approved.

ZONING/CODES ENFORCEMENT

Mr. Knepp reported that he had 6 permit applications for the month. He had 9 complaints, 8 of which came in in the last two days.

34 South Side Drive – This is a foreclosure property where they cleaned out all the junk and the gentleman who did it promised he would mow. He did not get the contract for the mowing. We contacted Safeguard, they have made a “swoop” around the front yard and left the sides and back unmowed.

49 Station Road – We contacted Safeguard on this property. They have not done anything yet. The weeds are higher than 5 feet. The Solicitor is to send letters on each of these.

A citation was issued to Unilever for their third false alarm.

68 Lebo Road – We have received a complaint about the in ground pool with no fence. The pool installation preceded our zoning. Is there a State law regarding this? We can't do anything since it went in prior to zoning. The Solicitor will send a letter on this.

1899 Walnut Bottom Road – A complaint was received about the abandoned house on the Ickes property. The person who complained stated that the Ickes had 30 days to remove it after the new house was constructed. We have researched this and have not been able to find anything. Mr. Knepp recommended that we wait until we have the Dilapidated Structure Ordinance.

Souders – Mr. Souders is out of the nursing home, but unable to be on his own yet. Last meeting we had authorized the Solicitor to file against him again. Mr. Souders son has agreed to clean the property up so we asked the Solicitor to hold off on filing. Mr. Souders junior has made progress, the neighbors are happy with the difference that has been made.

6 Quarry Hill Road – Mr. Knepp said he and Paul Rampulla made an inspection. We gave the Stambaugh's 90 days to make the life safety corrections; the 90 days are up on July 15. Mr. Stambaugh's electrician left a message on our answering machine on July 3 that he is unable to get to the job by the deadline and asked for an extension. Mr. Knepp stated that he is against granting an extension. He needs to make another inspection on the 15th. The Solicitor advised Mr. Knepp to have Mr. Rampulla with him when he makes the follow up inspection since Mr. Rampulla is the UCC inspector.

Stambaugh – There are now 29 items sitting in the lot across from the Carriage House that have been brought from West Pennsboro. Of the 29 items, 14 are unregistered unlicensed vehicles. In addition, most of Mr. Stambaugh's fence supports are telephone poles. Mr. Knepp said he also received a call from John Eply that after midnight there were all kinds of lights going on and things being moved around just over the ridge behind this. The Solicitor said we should file against Mr. Stambaugh again.

Stambaugh Smith Road – The Roadmaster was over with the back hoe and fixed up Smith Road where the water was running off the Stambaugh property and washed out the road. Mr. Stambaugh complained about the condition of the road, but his driveways are what causes the problems. The Agreement calls for him to abandon the driveways, but he has 6 months after settlement. The Roadmaster spoke with Mr. Stambaugh about building up a berm to prevent water running onto the road. Mr. Stambaugh agreed to it. The Roadmaster wanted to know if we could go onto Mr. Stambaugh's property and build the berm if Mr. Stambaugh does not. The Solicitor will speak with Mr. Stambaugh's attorney. Chairman Martin suggested we send a letter first giving Mr. Stambaugh a timeframe to get it done.

Stambaugh Permit – We have approved a permit for Mr. Stambaugh to put up a building on lot 1. Mr. Stambaugh came in a couple of weeks later and wanted to change the dimension a little. Mr. Knepp made the changes. Mr. Stambaugh came in again asking to make changes which Mr. Knepp approved. If Mr. Stambaugh wants to make any more changes, Mr. Knepp wanted to know if he could void the original permit and have Mr. Stambaugh start all over again. Chairman Martin stated that it is getting to the point where we will need to have Mr. Stambaugh provide engineered drawings. Mr. Stambaugh also wants to build a pole building out of used materials on the lot across from the Carriage House. The Solicitor stated he cannot do it, it is a public nuisance. The Solicitor instructed Mr. Knepp to deny the permit. Chairman Martin stated he believes it is a safety issue, you cannot take down a pole building and put it back up and have it be safe.

Landlord Tenant Ordinance – We have two Ordinances, one for the Tax Collector and one for the Township. Mr. Knepp suggested that we combine the two Ordinances. Chairman Martin asked if the Tax Collector agrees. Mr. Knepp and the Secretary both spoke with Mrs. Stitt and she is agreeable to this. The Secretary suggested that we combine the two forms into one, have the landlords submit them to the Township and we will provide Mrs. Stitt with copies. Vice Chairman Sheaffer made a motion to combine the two Landlord Ordinances and forms. Chairman Martin seconded the motion. Motion approved.

101 South Side Drive – A complaint was received about 101 South Side Drive for weeds, grass and a sewer smell. This is the Bowermaster property. Mr. Knepp stated there are several issues; there is junk, weeds and some kind of residue on the gravel. We discussed this with the SEO, his suggestion was that the first thing we do is send a letter telling them they have 30 days to pump their septic, as it has never been done. We have done this. Mr. Knepp believes that the structures that are falling down can be addressed once we have the Ordinance in place. The other issue is the trash and the brush. We need to send a letter giving him 20 days to clean it up.

SOLICITOR REPORT

Stambaugh – They had settlement, the Solicitor received recorded copies of the Agreement and the Subdivision plan from Charles Shur. The most recent fine has been paid by the settlement company.

Water Tower – There is an issue with the land development plan for the water tower. If the land for the tower is subdivided off farm they have to pay rollback taxes for the whole farm. The Newville Water Authority has condemned the acreage which will free the Ickes from the Clean and Green rollback. Mr. Knepp stated that Fred Potzer sent a letter to the fire consortium regarding the “water tank”. The Solicitor stated that the Chief of Newville was concerned about the connections to the tower. He talked about a special coupling at the base of the water tank. The Solicitor informed him that Penn Township already told the developer we wanted this done. The specs need to be shared with the developer. Mr. Knepp stated that the information had already been provided, earlier in the planning stage. They were looking for a connection near the tower, either on it or a hydrant directly from the tank with a standard 5” standard Storz coupling to draw water from, gravity fed. The letter that was received from Mr. Potzer did not make sense to him. Mr. Knepp will go speak with Mr. Potzer.

DJ Office HVAC Maintenance Agreement – The Solicitor has revised the Agreement to \$590.00 per year and sent it to Mr. Lopp. He has not heard anything back yet. Vice Chairman Sheaffer made a motion to accept the HVAC Maintenance Agreement for the DJ’s office for \$590.00 per year payable by the Township to the County and to authorize the Chairman and the Secretary to sign the Agreement as soon as County has approved it. Chairman Martin seconded the motion. Motion approved.

Dilapidated Structure Ordinance – The Solicitor has made changes to the draft Ordinance as requested by the Codes Officer. Chairman Martin made a motion to advertise the Penn Township Dangerous Structure Ordinance. Vice Chairman Sheaffer seconded the motion. Motion approved. The Solicitor will include fences in the ordinance.

OTHER REPORTS

WCCOG – Chairman Martin stated he had nothing to report.

APPROVAL OF BILLS LISTING

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

SUPERVISORS’ COMMENTS

None

ADJOURNMENT

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

NEXT MEETING August 13, 2015

Respectfully submitted,

Vicki Knepp
Secretary