

**PENN TOWNSHIP BOARD OF SUPERVISORS
1301 Centerville Road
Newville, PA 17241
Tel: 717-486-3104 Fax: 717-486-3522
Regular Meeting
November 12, 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, Supervisor Amos Seiders, Solicitor Marcus McKnight, Treasurer Martha Sheaffer and Secretary Vicki Knepp.

PUBLIC COMMENT

Zoning Officer Tim Knepp reported that a real estate broker, Dan Dutcavich, had requested that he be placed on the agenda. Mr. Dutcavich did not show up. He had inquired about the possibility of using a property at the corner of Routes 11 & 233 for 6 month trailer storage. Mr. Knepp reported that there was some confusion about which lot they wanted to use, however, no matter which lot, it would require a Zoning Hearing. Chairman Martin stated he had a call from the property owner and explained to him that it would require a hearing and told him to stop by the office to pick up the forms. He has not done so.

Ian Ward – Mr. Ward stated he is an eighth grader at Big Spring Middle School and a Life Scout in Troop 185. He proposed his idea for an Eagle Scout project. He proposed to move the horseshoe pits from the fire station onto the Municipal building campus. He estimated the cost of the project to be approximately \$800.00. His plans to raise the funds were a 5k race at Big Spring High School on the cross country course and a baked goods fundraiser. He passed out drawings of the approximate location of the pits. His time frame is to start in Spring as soon as the ground thawed, finishing it in early summer. He will reuse the cement launching blocks from the fire station at the municipal building. Chairman Martin asked how far would they be from the stream. Mr. Ward was unsure of the distance from the stream. He was informed that DEP requires a 50 ft. buffer zone from the stream. He also needs to stay out of the road right of way and the 20 ft. setback. Vice Chairman Sheaffer suggested that Mr. Ward come up with a better drawing and come back to the next meeting.

APPROVAL OF MINUTES

Supervisor Seiders made a motion to approve the minutes from the October 8, 2015 Regular Meeting. Vice Chairman Sheaffer seconded the motion. Motion approved.

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

BID OPENING JOHN DEERE BACKHOE

The Secretary reported that we received 7 bids for the backhoe. The bids were opened and the results are as follows:

Fultz Excavating	\$31,580.00
Lake View Farms	\$8,300.00
McElroy Landscaping	\$25,551.00
Denny Lebo	\$28,300.00
Shertzer Equipment Group	\$26,500.00
Mike Veneziano	\$18,103.00
Shetron Auction	\$26,250.00

Fultz Excavating has the winning bid. The Secretary was directed to notify them.

APPROVAL OF SUBDIVISION PLANS

None

UNFINISHED BUSINESS

Trash – The Secretary reported that all the delinquent accounts from the previous month have all been paid. She stated that she has 4 accounts totaling \$336.47 that she would like authorization for the Township to pay these bills. Vice Chairman Sheaffer made a motion to pay Southampton Township the \$336.47 for these 4 accounts. Supervisor Seiders seconded the motion. Motion approved.

Septic – 75 out of 116 that are due to be pumped in 2015 are done.

Tony Sennett – Chairman Martin stated the he and the Solicitor met with Mr. Sennett’s attorney. He proposed a land swap, Mr. Sennett would be able to keep his sign, we would give him the ground leading up to the sign and he would give us the ground he owns on both sides of Irish Gap Road. Mr. Sennett will pay for the Survey. Mr. Sennett would like to have this done before hunting season. Vice Chairman Sheaffer made a motion to allow whichever Supervisor is available at the time to sign the paper work. Chairman Martin seconded the motion. Motion approved.

Hassinger Drive – Vice Chairman Sheaffer stated that everything was lined up for the concrete paving of Hassinger Drive. The day before it was to begin, Mr. Wenger withdrew his permission to cross his property for access. Without this permission we are unable to do the road work. Vice Chairman Sheaffer made a motion to authorize the Solicitor to send notice to both parties that because of lack of cooperation we are going to publish an ordinance abandon the road. Chairman Martin seconded the motion. Motion approved.

South Side Culvert – The Solicitor stated that the mediation will take place early in the year. Chairman Martin stated that we plan on ordering the section of culvert in February.

Speed Limit Sign – The road crew has completed a speed study on every unposted road. The Secretary will get the list of speed limits to the Solicitor’s office so the Ordinance can be prepared for the next meeting.

Budget – The Treasurer reported that she has revised both the General Fund and State Fund so that it is balanced. Vice Chairman Sheaffer made a motion to have the Secretary advertise and post the 2016 budget. Supervisor Seiders seconded the motion. Motion approved.

Hatchery Ponds – Pictures were taken of the ponds and given to Supervisor Seiders. The Hatchery has not been contacted yet.

New Oil Burner – The new oil burner has been installed in the shop and is working well.

John LeDane – Chairman Martin stated that he drove past Mr. LeDane's and he has been repopulating the carport since we cleaned it up. The sale took place last week. We have not had a report from the auctioneer yet. Vice Chairman Sheaffer will contact the auctioneer and get a reporting for next meeting.

NEW BUSINESS

Various UCC/Permit Issues – Mr. Knepp stated that he was instructed to attend the UCC meeting at West Penn held by MDIA. Several issues have come out of the meeting. UCC is involved with a Demo permit if the building is over 1,000 sq. ft. Proper debris disposal is required and disconnection of utilities is checked to see if it is done properly. Mr. Knepp inquired if we should handle less than 1,000 sq. ft. demos. Chairman Martin felt that if the State does not worry about it, we should not be concerned unless we receive a complaint about debris disposal.

Mr. Knepp stated that in our current Zoning Ordinance every construction is to have a pre and post-construction visit by him. We have not been doing this. We have discussed attaching postcards to the permits for construction beginning and completion. Mr. Knepp stated that our permit fees appear to be much lower than everyone else's. If we need to do these inspections we need to look at raising our fees to cover the cost of the inspections. Chairman Martin stated we can look at this with the new fee schedule in January.

Another issue that was brought up by MDIA is the lack of Fire Inspectors by the townships in the COG. Once a commercial structure is built and the final inspection is done we do not see inside that building again. Changes can be made to the building and/or the product being stored that will change the fire hazard. Exits, aisles, fire extinguishers and electrical panels can be blocked. These things all affect life safety. MDIA has recommended that the municipalities look into hiring a fire inspector. Vice Chairman Sheaffer asked if that means we need to hire someone who is certified. Mr. Knepp stated that he is already certified through his previous job at the Navy base. He suggested that we expand the scope of his job to include Fire Inspector. He stressed that this is only commercial, industrial and group home operations, not people's homes and farms. The Solicitor stated that he will contact MDIA for some ideas for an ordinance. He suggested annual inspections. Mr. Knepp stated it would not be annual inspections, the frequency of the inspections would be determined by the fire hazard, the number of violations, etc. He asked if we need to adopt the individual standards since UCC covers them already. The Solicitor felt no; however, Chairman Martin suggested that since we would be doing the inspections to those standards, not MDIA, we should include them in the ordinance. The Solicitor will check on it. Mr. Knepp recommended that if we decide to do an ordinance to establish a Fire Inspector that we join the NFPA to give us more freedom with the codes and standards, we can ask questions and make recommendations. Currently we are only able to review the codes. There is no cost for inspections for the occupant.

Evelyn Seiders Health Insurance – The Secretary stated that she was told by Supervisor Seiders that his divorce was almost final and that she needed to look into removing Mrs. Seiders from the Township health insurance. The Secretary reported that she discussed this with PSATS and nothing can be done until the divorce is final. She stated that she also checked about Vice Chairman Sheaffer's insurance at the same time. He will be going on Medicare after the first of the year. She needs to know the exact month his Medicare will be effective so that she can

switch his insurance from the full coverage to Medicare Supplemental. He has an upcoming meeting and will let the Secretary know as soon as possible.

43 Irish Gap Road – The Secretary reported that she received an anonymous letter complaining about the holding tank at 43 Irish Gap Road. The Secretary stated that she contacted the SEO. They pulled out the old permits and reviewed them. The property has a holding tank because it was a commercial business. DEP approved the holding tank for a commercial property only. It was not approved for a residential property. It is the Secretary's understanding that there are now people living in the upstairs. According to the SEO we need to have the tenants removed and notify the property owner that the building can only be used for commercial purposes. Chairman Martin made a motion to have the Solicitor send a letter to the property owner to remove the tenants because of the illegal holding tank. Vice Chairman Sheaffer seconded the motion. Motion approved.

New Backhoe – Chairman Sheaffer suggested that we pay for part of the new backhoe out of Liquid Fuels. The Treasurer suggested that it would be better to pay it all out of the General Fund since we have the unbudgeted money in the General Fund. We can carry the Liquid Fuels equipment budget over to the next year. The Solicitor recommended that we pay for the backhoe out of the General Fund.

CORRESPONDENCE

Ryder Logistics – The Secretary reported that we received a letter from Ryder. They are in a portion of the Office Depot warehouse. They are changing the customer and product they will be handling in the building. They will no longer be handling paper goods for George Pacific in this building. They will be storing shoes. The contact personnel have also all changed.

PROJECT UPDATES

Tri-County Grant – Michael Baker is working on draft scenarios which should be available to us for the December meeting.

ZONING/CODES ENFORCEMENT

Bowermaster 101 South Side Drive – Mr. Knepp reviewed the issues we have dealt with, septic pumping and weed removal were done; however, they have not addressed the issue of the falling down fence and dilapidated garage/barn. We sent them a notice of violation under the Dilapidated/Dangerous Structure Ordinance. They had 10 days to start correction, either demolition or repair, and 60 days to complete. They have missed both of these deadlines. He would like to turn this over to the Solicitor. Vice Chairman Sheaffer made a motion to authorize the Solicitor to file against the Bowermasters. Chairman Martin seconded the motion. Motion approved.

South Fairview Rod & Gun – Mr. Knepp reminded the Supervisors that we had a complaint in the Spring about their firing range. He had met with two of the officers of the club who seemed cooperative, but they have not yet made any of the corrections that were discussed. Hunting season will start in a few weeks. He would like to have the Solicitor send a letter to remind them they cannot use the range until the safety measures have been made. A copy of the letter will be sent to Mr. Knepp to post at the facility. Vice Chairman Sheaffer made a motion to authorize the Solicitor to prepare and send the letter and post a copy on the door. Chairman Martin seconded the motion. Motion approved.

Mr. Knepp stated he was involved in an issue with an agricultural fence. The gentlemen did not need a permit to install the fence. The Roadmaster saw posts going into the right of way and when we pulled the subdivision plan the right of way was changed to 25' on the subdivision side of the road only. Researching this taught us that when subdivisions go in many of the right of ways are being changed to 25' from center line. In the future we will need to pull subdivision plans to review individual right of ways.

SOLICITOR REPORT

Hodecker – The Solicitor reported that we filed an appeal of the Magistrate's decision. The Hodecker's attorney filed an action to try for a Declaratory Judgment. Mr. Hodecker is not currently causing issues.

Stambaugh – The Solicitor reported we have a judgment against Stambaugh for \$1,030.88 for his failure to move the junk and mobile homes. We need to file a complaint since the Stambaugh's have filed an appeal. The Solicitor needs a motion to allow whatever Supervisor is available to sign the complaint and he wants daily fines and legal fees. Vice Chairman Sheaffer made a motion authorize Chairman Martin to sign the complaint. Supervisors Sieders seconded the motion. Motion approved.

OTHER REPORTS

COG – Chairman Martin stated that he learned at COG that we can now have 3 alternate members on the Planning Commission. The School District has reported that if the budget is not passed they have enough money to go through March.

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 both he and the Zoning Officer have met with Elky Wetherill and his engineer. Jim Clymer will be purchasing the rights to the Mains property. He learned that a PennDOT HOP meeting was held without our input. He does not know if County Planning was included. He will speak with Kirk Stoner and Jodi Evans about it.

ADJOURNMENT

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

NEXT MEETING December 10, 2015

Respectfully submitted,

Vicki Knepp
Secretary