

PENN TOWNSHIP BOARD OF SUPERVISORS
1301 Centerville Road
Newville, PA 17241
Tel: 717-486-3104 Fax: 717-486-3522
Regular Meeting
February 11, 2016

Those present: Chairman Gary Martin, Vice Chairman Ken Sheaffer, Solicitor Marcus McKnight, Treasurer Martha Sheaffer and Secretary Vicki Knepp. Supervisor Seiders was excused for work commitments.

PUBLIC COMMENT

None

APPROVAL OF MINUTES

Vice Chairman Sheaffer made a motion to approve the minutes from the January 4, 2016 Reorganization Meeting. Chairman Martin seconded the motion. Motion approved.

Vice Chairman Sheaffer made a motion to approve the minutes from the January 4, 2016 Reorganization Meeting. Chairman Martin seconded the motion. Motion approved.

Vice Chairman Sheaffer made a motion to approve the January 31, 2016 Treasurer's Report. Chairman Martin seconded the motion. Motion approved.

APPROVAL OF SUBDIVISION PLANS

None

UNFINISHED BUSINESS

Trash – The Secretary reported that she stopped two delinquent accounts. One of which had also written a bad check to Southampton.

Septic – The Secretary reported that of the 116 septic systems that were to have been pumped in 2015, 8 were not done. She has sent lists of those 8 to the haulers and just got the last response back. She will be sending letters out to those 8 residents in the next week. She asked if she should extend the deadline past March 31 because of the weather. Chairman Martin stated we should wait until the ground thaws out and will revisit the issue next month.

Tony Sennett – The Solicitor spoke with Mr. Sennett's attorney today. Mr. Sennett's attorney said Mr. Sennett takes his time. Chairman Martin asked what we can do to get Mr. Sennett moving. The Solicitor suggested that we need to have an answer by next meeting or we will move forward with our original plans.

Hassinger Drive – Chairman Martin reported that we had a Zoning Hearing on Hassinger Drive. No decision has been made yet.

Reinterment of Civil War Graves – Vice Chairman Sheaffer stated he checked into having the graves relocated to a national cemetery. He has found out that the only thing free is the grave site itself. We would have to hire an undertaker to exhume the bodies and reinter them, plus the cost of a container and opening and closing the graves. Tim Knepp is going to check with a friend to see if he can help. If we cannot move the graves we can get new headstones through the VA. They will match the period. Vice Chairman Sheaffer explained to the public what we were talking about.

John LeDane Sale – Vice Chairman Sheaffer reported that the auctioneer lost money. In order to get our money we need to put a lien against the property so we can recoup our expenses whenever the property is sold. The Secretary is directed to send the information to the Solicitor. Vice Chairman Sheaffer made a motion to have the Solicitor put a lien against the property. Chairman Martin seconded the motion. Motion approved.

Amended Fire Police Resolution – Chairman Martin stated that we have reworded our resolution so that instead of surrounding Fire Companies and Municipalities it says other. The Secretary also added in the Easter Sunrise Service held at Kings Gap and requests for funeral traffic control by Township churches. Vice Chairman Sheaffer made a motion to approve Resolution 2016-07 Special Fire Police Policy. Chairman Martin seconded the motion. Motion approved.

Resolution Setting Equipment Use and Employee Services – Chairman Martin stated that we have occasions when we need to bill for equipment and personnel for work done above and beyond. It will also make it easier when we have to issue a citation for an infraction where we need to use our equipment to correct it. Chairman Martin made a motion to approve Resolution 2016-008. Vice Chairman Sheaffer seconded the motion. Motion approved.

NEW BUSINESS

Marc Thorne Appointment to Zoning Hearing Board – Chairman Martin introduced Mr. Thorne. Mr. Thorne has applied for a position for either Planning Commission or Zoning Hearing Board. We are in dire need of help for the Zoning Hearing Board. Both Chairman Martin and Vice Chairman Sheaffer stated they were impressed by Mr. Thorne's résumé and believe he will be a good fit. Chairman Martin made a motion to appoint Mr. Thorne to the Zoning Hearing Board. Vice Chairman Sheaffer seconded the motion. Motion approved.

Gary Mullen – Mr. Mullen made a presentation regarding septic tank testing vs. septic tank pumping. Mr. Mullen stated that septic pumping can distribute over 20 different pathogens. The least the pathogens are disturbed the fewer are distributed. He is trying to increase public awareness. Chairman Martin read a statement from Vince Elbel, SEO, stating that he is not in favor of the testing. He believes it is a tracking nightmare and costs almost as much as pumping. Mr. Mullen stated he is currently certified to do the testing in Dickinson Township and will be speaking with other Townships to become certified. Chairman Martin stated that this will require more research before we could make a

decision. We need to look at this and readdress it next year. Chairman Martin said he will talk to the Dickinson Township manager to see how they are handling it.

GASB Compliance Reports– Treasurer Sheaffer reported that she got a letter from PSATS Retirement Services telling about a \$500.00 charge that will be charged for a plan report. We have the choice of having the cost deducted from the assets of the plan, paying an invoice or declining the report. The Solicitor recommended against declining the report. We need to be compliant. We only have four employees paying in and one retiree withdrawing from the plan. The Treasure was directed to have PSATS invoice us, but we need to look into the consequences of not doing the report, maybe we don't need to do it every year.

Request for Fire Police – Chairman Martin stated we have a request for Fire Police that we need to ratify. The request was for a January date. Chairman Martin stated that he did not believe that the Township should be providing Workers' Comp insurance for the fire police while they are working for a private company. When working for another municipality, fire department or other non-profit (such as churches) it is one thing. It should be up to the contractor to provide insurance. They fire police should also not be using fire company equipment to provide this service. In the future, any such requests should be handled as private individuals, not Penn Township Special Fire Police. Chairman Martin made a motion to ratify the request for assistance from Paul's Tree Service. Vice Chairman Sheaffer seconded the motion. Motion approved.

The Fire Chief, Chris Alleman, reported that because they have gotten rid of the rescue he has had to make some modifications to the fire boxes to bring in an alternate rescue where needed.

SA- EMS – Kathy Eichelberger and Shawn Hartsock of SA-EMS made a presentation on the LUCAS II device. The device makes CPR compressions more accurate and frees up a person to perform other duties. The out of hospital survival rate for cardiac arrest is 8%, using the LUCAS device it increases to 44%. It is the #1 device that has been invented to improve your chance of cardiac arrest survivability. Mr. Hartsock stated that unfortunately, it has a big price tag, \$15,000.00. SA-EMS currently has one unit. They would like to purchase a second unit so that each medic unit has one. The way it is now, it is possible that the medic unit that would respond to the Township for a cardiac arrest would not have one on it. Chairman Martin asked how many municipalities SA-EMS covers, Mr. Hartsock replied 21. In the municipalities surrounding Shippensburg, the resources are already there, while we and the other outlying municipalities do not have the resources rapidly available. Vice Chairman Sheaffer made a motion to donate \$1,000.00 toward the purchase of an additional LUCAS II. Chairman Sheaffer seconded the motion. Motion approved. Solicitor McKnight suggested that if the campaign bogs down that they come back.

CORRESPONDENCE

Friendship Hose Company – Chairman Martin reported that we received an annual report from Friendship Hose Company. They ran 203 calls in Penn Township. Chairman Martin stated that it was an impressive report. Ms. Eichelberger reported that they ran 118 ALS calls in Penn Township 58% of the total medical calls in the Township. Deputy Chief Doug Stum stated that the Fire Company is getting new software and hope to be able to provide a report next year.

PROJECT UPDATES

Tri-County Grant - Chairman Martin stated he met with Brian Funkhouser earlier in the day. He has received the draft recommendation based on the comments from the last Planning Commission meeting. He has not had a chance to distribute them yet. It pretty much follows the Planning Commission as far as the rezoning that they discussed of different parcels. A traffic analysis was done based on the zoning issues. The next step is to take it to PennDOT.

ZONING CODES ENFORCEMENT

Tim Knepp reported that he issued three permit applications and had three complaints for the month. One complaint was regarding a loose dog; he spoke with the owner, issued a warning and gave her a copy of the Ordinance and the State dog laws. Another complaint was regarding a resident whose trash service had been stopped for non-payment and is to the point where he must purchase bags and has not done so. He has been burning his trash after dark. Mr. Knepp was unable to find him at home. The Secretary has sent a letter that he needs to either purchase bags or file for an exemption and he must comply with the Burning Ordinance.

The third issue was that he received a complaint regarding an RV parked on the property at 180 Quarry Hill Road that is occupied. The complainant indicated that raw sewage is being dumped on the ground. Mr. Knepp contacted the SEO who went out to the property and spoke with the property owner and the RV owner. He was told that Ms. Cromer (the RV owner) did not live there but stayed there one or two days a week. Her holding tank is full so she is bucketing out the waste and dumping it in the field. The SEO told her that she had to stop doing this immediately. She was going to have the tank pumped. She was told that she could not live there or stay overnight. The next issue in the Zoning Ordinance that travel trailers designed for temporary occupancy can only be permitted for residential occupancy for a period not to exceed 14 days. The third issue is all the bags of garbage or trash. We have a sewage violation, and occupancy violation and the Nuisance Ordinance Violation. Cindy Cromer and her friend Richard Picken were present at the meeting. Chairman Martin stated he wants to take the violations one at a time. If the SEO makes the determination the Ms. Cromer cannot live in the RV because of septic violations, she cannot live there. Ms. Cromer claims she lives in Walnut Bottom and only stays there one or two evenings a week. The comment was made that Ms. Cromer has a very large propane cylinder for two cats. Ms. Cromer said she was going to have a dumpster to dispose of the bags but she thought someone would turn her in. Chairman Martin asked when she could have the trash out. We will give her a week to get them removed. Mr. Knepp wanted to know who did the electrical hooked up and if they were licensed. Ms. Cromer said it was her brother and he is not licensed. Ms. Cromer was given a week to get rid of the bags of trash and to have the holding tank on the RV pumped. She was told that she cannot stay there and she cannot have a porta-potty. She needs to provide proof to the township that she has disposed of the trash and that the septic has been pumped. Mr. Knepp told her at this point she is not being fined. If she does not comply within the deadlines she will be fined.

Mr. Knepp said that he was asked to take pictures of Smith Road where George Stambaugh is driving in and out of his fields. There is mud, manure and debris all over the

road and the grit from his tractor wheels has abraded the lines we just had painted on the road. Chairman Martin reported that we had repaired the road and drainage issues the previous September. Mr. Stambaugh had signed an agreement that he would stop using these driveways by December 19, 2015. Mr. Knepp stated that he has the drainage ditch filed in again to eliminate the bump. Mr. Stambaugh is using all three driveways again. Chairman Martin made a motion that we have the Solicitor file against Mr. Stambaugh with the DJ again for violation of the agreement he signed last year. Vice Chairman Sheaffer seconded the motion. Motion approved. The Solicitor stated he has a draft of the filing but he needs to know what he should charge for cleaning the road up and what we want to charge for fines and legal fees. The Solicitor stated that because Mr. Stambaugh has agreed to this in writing and has defiantly violated the agreement he signed he believes we need to charge the full cost of the cleanup and significant fines and legal fees. The Secretary will get with the Roadmaster and will come up with an estimate of what it will cost to clean and repair the road and get the information to the Solicitor. Mr. Knepp said the Nuisance Ordinance allows up to \$1,000.00. The Solicitor suggested that we fine Mr. Stambaugh \$1,000.00 per driveway, there are three driveways. Vice Chairman Sheaffer made a motion to amend the previous motion to include a fine of \$3,000.00 plus costs, repair costs and legal expenses. Chairman Martin seconded the motion. Motion approved. Chairman Martin suggested putting Jersey barriers along the road at the driveways. Mr. Knepp said Mr. Stambaugh would just relocate the driveways, a suggestion of guardrail from Ritner Highway to the creek was made..

SOLICITOR REPORT

Hodecker – The Solicitor stated that Mr. Hodecker’s added a bunch of New Matter in several of the areas of our Complaint. We need to answer the New Matter and he needs the Chairman to sign the affidavit. In Mr. Hodecker’s filing against the Township the Solicitor is not going to do anything on it. Vice Chairman Sheaffer made a motion for Chairman Martin to sign the affidavit. Chairman Martin seconded the motion. Motion approved.

43 Irish Gap Road – Nothing has been done yet. The Solicitor is to send a letter giving them 30 days to evacuate the premises. It needs to go to the property owner with a copy to the tenant.

Township Fire Inspector – The Solicitor reported that he spoke with our account manager at the insurance company. He has also spoken several times with MDIA. They do not have any information from Pennsylvania Townships; he does have from NY State. Mr. Knepp asked if MDIA would be able to pick up this service as a third party. Chairman Martin and the Solicitor will make inquiries of MDIA at the next COG meeting.

Bowermaster – The hearing was held. It was frustrating to see Mrs. Bowermaster say her son lives with her but she did not want to take his money and he is on a fixed income. The DJ has given them 90 days to make progress and will reconvene the hearing then.

FPE – The Solicitor is still waiting on a final number. He will contact the engineer tomorrow.

OTHER REPORTS

COG- Big Spring School District has contracted with Michael Baker to do a study on the pedestrian and automobile traffic at the Big Spring School District Complex. Dickinson Township has two new Supervisors, a new Manager and a new Roadmaster.

APPROVAL OF BILLS LISTING

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

SUPERVISORS' COMMENTS

The Secretary reported that with the sale of 49 Station Road and 1845 Walnut Bottom Road the properties that the Township has been maintaining are all privately owned now. Hopefully the road crew will not have to do any mowing, other than our own, this summer.

Chairman Martin stated that the VERUS HOP on the Mains property has been allowed to expire.

Mr. Knepp stated that there had been a recent medical call and two private citizens intervened and probably saved the patient's life. The Township will make a presentation to them at the Fire Company banquet.

ADJOURNMENT

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

NEXT MEETING March 10, 2016

Respectfully submitted,

Vicki Knepp
Secretary