

PENN TOWNSHIP BOARD OF SUPERVISORS
1301 Centerville Road
Newville, PA 17241
Tel: 717-486-3104 Fax: 717-486-3522
Regular Meeting
November 10, 2016

Chairman Martin called the meeting to order and led everyone present in the Pledge of Allegiance.

Those present: Chairman Martin, Vice Chairman Ken Sheaffer, Supervisor Seiders, Solicitor Marcus McKnight, Treasurer Martha Sheaffer and Secretary Vicki Knepp

PUBLIC COMMENT

APPROVAL OF MINUTES

Vice Chairman Sheaffer made a motion to approve the minutes from the October 13, 2016 Regular Meeting. Supervisor Seiders seconded the motion. Motion approved.

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

APPROVAL OF SUBDIVISION PLANS

None

KUTZ ASA Hearing

Secretary Knepp reported that she had received recommendations from County Planning, Township Planning and the Township Ag. Security Committee recommending the inclusion of the Kutz farm at 871 Mount Rock Road to the Penn Township ASA. Chairman Martin made a motion to approve Resolution 2016-15 placing the Kutz farm into the Penn Township Agricultural Security Area. Vice Chairman Sheaffer seconded the motion. Motion carried.

UNFINISHED BUSINESS

Reinterment of Civil War Graves – Chairman Martin gave a brief history of the Civil War Veteran graves and our plans to the members of the public in attendance. We will be having a ceremony on Wednesday, November 16 at 10:30 at the grave site; however, if possible, we will start a little earlier, and then the remains will be taken to Fort Indiantown Gap. Tim Knepp, who has been coordinating the project from our end, went over the timeline of events. We are asking people to park at the fire station. Deitch Bus Company has donated two buses and drivers to shuttle people to and from the site. Someone will be at the fire station and the front doors will be unlocked for people who need to use the restroom. Mr. Knepp thanked the Supervisors, Solicitor McKnight and Chris Hoffman of Hoffman Funeral Home in Carlisle for their assistance in the effort. We have had interest from several different Civil War reenactor groups who will be attending and providing the color guard. We have a Civil War reenactor chaplain who will be

speaking. A representative of the U.S.C.T. will be speaking also. The procession will be leaving the fire station no later than 11:30, earlier if possible. Chris Hoffman stated the first service at the Gap will be at 1:00 so our schedule will be tight. We will have a State Police escort in front of the three hearses. There will be three committal services at the Gap, one for each Veteran. He will have a walkthrough at the Gap on Tuesday. The Massachusetts 54th will be sending 20 members down for the service.

Trash – The Secretary reported that she has stopped service for three people for non-payment. One she has filed with the Magistrate. Chairman Martin stated that Jason Cornman does not want to go on bags, they want their toter back, but his service has been stopped multiple times. Mrs. Cornman had made an offer to pay a year in advance. Vice Chairman Sheaffer made a motion that if they pay a year in advance to put them back on. Chairman Martin seconded the motion. Motion approved.

Septic –The Secretary reported that of the 370 systems to be pumped in 2016, 232 have been done, 62.7%. There are still a lot to be done in a month and a half.

Hassinger Drive – Chairman Martin stated we have the sign and a copy of the invoice from Precision Paving. Chairman Martin is concerned about the quality of the work. He stated his issues were 1) we never got a chance to review the proposal, 2) he does not think the work will stand up and we do not want to be responsible for it. Chairman Martin made a motion to have the Solicitor prepare a termination agreement. Vice Chairman Sheaffer seconded the motion. Motion approved.

New Equipment Building –Chairman Martin reported that construction started today. The contractor has run into a lot of rock and broke a piece of equipment. They expect to have the poles in by next Friday.

Stambaugh – The Solicitor reported we got a judgment against Mr. Stambaugh on October 25 for the Quarry Hill property. Mr. Stambaugh has 30 days to appeal. Our other litigation against him is still pending.

Budget – The Secretary reported that the budget was advertised. Vice Chairman Sheaffer made a motion to approve the 2017 budget. Supervisor Seiders seconded the motion. Motion approved.

Domestic Livestock Ordinance – Chairman Martin reported that he and Mr. Knepp have worked on the Ordinance. Mr. Knepp stated in the past several months he has had many violations of the Zoning Ordinance for chickens, ducks, goats, etc. especially in the Conservation Zone where they are prohibited. Nicole Warren said that if her house was 25 yards to the north her son’s animals would be allowed. She also stated that she has had animals there for 15 years and did not know it was not allowed. The new Ordinance would allow non-commercial livestock but would require a Conditional Use Hearing. Ms. Warren was given a copy of the Ordinance. She was asked to give the Supervisors her comments. Vice Chairman Sheaffer made a motion to advertise the Animal Ordinance for the December meeting. Supervisor Seiders seconded the motion. Motion approved.

Zoning Hearing Vacancies – Chairman Martin stated that we desperately need to fill the three vacancies on the Zoning Hearing Board. He challenged the other Supervisors to come back to the meeting in December with a volunteer for the Zoning Hearing Board.

NEW BUSINESS

Interior Doors and Locks – Chairman Martin stated we need to look at replacing the office door and the door to the shop. He would like to switch to cipher locks. We will get prices to consider at the next meeting.

Security Cameras – The Secretary reported that there are several issues with the existing security camera system. She detailed the issues to the Supervisors. We will research systems and prices and discuss at the next meeting.

Chairman Martin stated that FEMA is in the process of updating the Flood Insurance rate maps for Cumberland County and the lower Susquehanna/Swatara watershed. He will be attending the meeting on December 5. He does not believe this will go into effect until sometime next spring.

PROJECT UPDATES

The Secretary reported that the 2016 Beetem Hollow project with the County. It came in over \$5,700.00 less than projected, the County portion was \$27,119.76 and our in-kind portion was \$9,915.64. She has worked with Lori Glace at the County Conservation Office to complete the paperwork. It will be submitted to Penn State on the 18th and we should expect the payment in 2 – 3 weeks after that. Also, the Road Crew will be attending training in State College to renew/obtain their Dirt, Gravel and Low Volume Road Certification so that we will be eligible to apply for grants next year.

ZONING CODES ENFORCEMENT

Tim Knepp reported he had four permits for the month; he has one pending application for a storage shed in the floodplain.

Mr. Knepp stated he has had complaints regarding Beth DeMarco of 87 South Side Drive. She has chickens running loose in neighbors' yards as well as her dog. She lives in the Conservation Zone where chickens are only allowed by conditional use. She was sent a notice of violation telling her they must be penned. Several days later we received another complaint that the chickens were running loose in the neighborhood again. The complainant had pictures of the chickens on her property. Mr. Knepp stated that he went to serve a citation on Ms. DeMarco. While he was writing the citation there were two chickens walking around in the front yard so he wrote a second citation. The time frame to pay the citation was up over a week ago and we have heard nothing from her. What do you want him to do? Chairman Martin made a motion to authorize the Solicitor to send a letter to Ms. DeMarco. Vice Chairman Sheaffer seconded the motion. Motion approved.

Mr. Knepp stated that on the Gutshall/Warren property along with the animals getting loose there appears to be a large chicken coop either on the neighbor's property or close to the setback. Chairman Martin stated that if it was built 15 years ago she is grandfathered for the setback but it can't be on the neighbor's property. The Secretary stated that according to the aerial photos it was not there in 2013 but it shows up on the 2016 aerial photos and no permit was applied for. We will wait until the animal issue is worked out before we address this issue.

SOLICITOR REPORT

Hassinger Drive – The Solicitor stated he needed clarification on what we are doing. On the proposal it states that Dan Ries paid \$4,702.67 and the Wengers paid \$9,297.33. He asked if

we are paying 1/3 of what each of them paid. Chairman Martin stated that we will pay 1/3 of the Blaine estimate. We need to have an itemized bill from the paver for the amount we agreed to pay Blaine, \$4,594.67. We never saw this proposal before the work was done.

Hodecker – A status conference is set for November 29. It sets up a schedule for when we are having a hearing and if there is additional discovery. Chairman Martin stated that he does not want to waste much more money on this.

44 Hair Road – The Solicitor stated that the Nolt Hearing is on November 15 at 10:30 AM. He would like the Secretary to attend.

Snyders, Hosfeld Road – The Solicitor stated he had a copy of the letter sent to the Supervisors.

Verus Proposals – The Solicitor stated that he had received information from the Chairman about the proposals and we are not happy with the way that they link up to the Interchange and to 233. The Solicitor stated that he got a call today from the Verus attorney who would like to have a meeting with us. Chairman Martin stated that the initial conversation was that the Clellans would have a dedicated driveway and Verus would have one main driveway for everything. When Mr. Wetherill went to PennDOT for the HOP he has a shared driveway with Clellan, 50/50 of his traffic between the two entrances. That is not what we agreed to. Greg Clellan does not want to share a driveway with them. The Solicitor wanted to know what we want to ask for as a down payment on the improvements. Chairman Martin wanted to know what they paid down in Dickinson. The Solicitor will find out. Vice Chairman Sheaffer made a motion to authorize the meeting. Chairman Martin seconded the motion. Motion approved.

FPE Engineering – The Solicitor stated that he needs to select a mediator for the John Shambaugh case. Chairman Martin stated that our culvert is to be delivered May 1st. The Roadmaster says the job is too complicated for us to do so we will need to get a contractor to do it. We would like to have this settled by May 1, 2017 so that we have the money to pay a contractor.

OTHER REPORTS

Fire Marshal's Report – Bob Kough, Jr. reported that they investigated a cornfield fire, it was caused by malfunctioning equipment. The Secretary reported that Mt. Asbury had their third false alarm and they were cited. Mr. Knepp stated it was the same detector as last time. The alarm company says the alarm is fine, but for the cost of the fines it would be cheaper for Mt. Asbury just to replace the detector.

APPROVAL OF BILLS LISTING

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

SUPERVISORS' COMMENTS

Vice Chairman Sheaffer said he is looking forward to the disinterment ceremony. It is turning out to be quite the event, much more than he expected, he is pleasantly surprised. He thanked Tim Knepp, Marcus McKnight and everyone involved.

Chairman Martin seconded what Vice Chairman Sheaffer said. He then said next year we have a lot of work to do: an Official Map; update the Comp Plan, SALDO and Zoning; and job descriptions. The Supervisors have to be involved in this. We need to think about how to do this. Do we want to have a workshop once a month for a while to work through these things? How do the other Supervisors want to get this done? We have to get it done quickly. The Route 233 Study gives us a good background, it will give us a lot of information and the 2010 census will help us with the Comp Plan. There are some issues with Zoning like we learned with the animals. We need to go through and update and clean it up. One of the things we discussed with the SALDO and the Zoning is that there are some discrepancies in the definitions. Maybe we should make a separate list of definitions and put it in the various documents so that they are always the same. If you change it in one book it is difficult to remember to change it in others. He would like to do a draft and give it to the Planning Commission and let them go through it and clean it up, look at it from a different perspective. Chairman Martin stated that he has had a complaint about the past few months multiple times there were not enough Supervisors in to sign paychecks on time. As Supervisors we need to do a better job in doing our job. We are elected, we all get benefits, and the least we should be able to do is get in to the office to sign paychecks when they are due.

Wayne Stephenson asked when the road lines would be painted. The Secretary reported that it was done two weeks ago. Mr. Stephenson said Blue Pond Road doesn't look like it was done. The Secretary stated that the roads are on a staggered schedule, they are not all done the same year. Mr. Stephenson wanted to know how much paint we use per mile. The Secretary reported that we use Alpha Graphics and they follow PennDOT specs.

The Solicitor stated that the salt bids came in for the COG and they are much lower than last year.

The Solicitor asked how long Lebo Road will be closed. He was told that it is to reopen on the 12th. Chairman Martin is concerned that we will have an issue with the crossing like we had the last time the railroad worked on the crossing. If we have an issue again he will contact Rep. Tallman and ask him to get involved.

ADJOURNMENT

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

NEXT MEETING December 8, 2016

Respectfully submitted,

Vicki Knepp
Secretary