

PENN TOWNSHIP BOARD OF SUPERVISORS
1301 Centerville Road
Newville, PA 17241
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Regular Meeting
April 13, 2017

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

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

ADJOURN TO EXECUTIVE SESSION 7:02 PM

RECONVENE AT 7:09 PM

The Solicitor stated that the Executive Session was to discuss a personnel issue and no decisions were made.

Chairman Martin stated that we have received a letter of resignation from Supervisor Seiders effective immediately. He stated that the remaining Supervisors have 30 days to appoint a replacement so they will appoint his replacement at the next BOS meeting. There are four candidates currently running for this position, they will be contacting each of those candidates to see if they are interested in filling the position for the interim.

PUBLIC COMMENT

None

APPROVAL OF MINUTES

Vice Chairman Sheaffer made a motion to approve the minutes from the March 9, 2017 Regular Meeting. Chairman Martin seconded the motion. Motion approved.

Vice Chairman Sheaffer made a motion to approve the March 31, 2017 Treasurer's Report. Chairman Martin seconded the motion. Motion approved.

APPROVAL OF SUBDIVISION PLANS

The Secretary stated that Eric Diffenbaugh has requested that we table the Hammond Subdivision Plan until the May 11 meeting so that he can finish a few items requested by the Planning Commission.

UNFINISHED BUSINESS

Trash – The Secretary reported that we have a new delinquent list. She would like permission to send delinquent letters. Vice Chairman Sheaffer made a motion to authorize the

Secretary to send the delinquent letters. Chairman Martin seconded the motion. Motion approved.

Septic – The Secretary reported that there are still 11 systems that were not pumped in 2016. She requested permission to turn these over to the Solicitor. Vice Chairman Sheaffer made a motion to authorize the Solicitor to send letters to the property owners who did not have their septic pumped in 2016. Chairman Martin seconded the motion. Motion approved. The Secretary reported that the postcards have gone out for the 2017 pumping. Of the 290 systems due to be pumped in 2017, 82 are already done. She reported that she was contacted by South Fairview First Church of God requesting a waiver for their pavilion septic system. The system is only used three or four times a year. The Secretary reported that she has discussed the waiver with the SEO. He said that he is Okay with them receiving a waiver every other time, every 8 years. Chairman Martin made a motion to grant the waiver to South Fairview First Church of God for the pavilion septic system. Vice Chairman Martin seconded the motion. Motion approved.

Alarm System – Tim Knepp reported that the system is in and working. There was one change from the original design at the Roadmaster's requested. The new building is included in the same zone as the shop. The Roadmaster was afraid they would be setting the alarm off in the new building frequently if it had its own zone.

Beetem Hollow Culvert – The Secretary reported that they met with Lori Glace from Cumberland County Conservation District regarding Mr. Eckert's concerns about replacing the lower culvert on Beetem Hollow Road. Ms. Glace will contact Mr. Eckert and explain the scope of the project. She will also offer to meet with Mr. Eckert to discuss his concerns. The Secretary stated that they went over the DEP permit for the other culvert. Ms. Glace had some issues with the way Brehm-Lebo engineered the water control and sediment control. Ms. Glace will see what she can do to remedy the situation. She also recommended that the Township consider having the new engineer to do the permitting process for the second culvert.

Steve Knowlton – Chairman Martin stated that we approved a handyman job last month. We had one applicant, Steve Knowlton, we need to ratify his hire. Vice Chairman Sheaffer made a motion to ratify his hire. Chairman Martin seconded the motion. Motion approved. Chairman Martin stated that Mr. Knowlton has been trained to be a flagger, Chairman Martin stated that he felt because of that we should pay Mr. Knowlton more than our unskilled labor rate. Vice Chairman Sheaffer made a motion to pay Mr. Knowlton \$12.50/hour. Chairman Martin seconded the motion. Motion approved.

Diesel Fuel Tanks – Mr. Knepp reported that Mr. Fisher will be sandblasting the tank and will apply one coat of rust inhibiting primer and two coats of paint on the tank and 12 bollards. He plans to start one day next week. Mr. Knepp reported that the manufacturer backordered the pump 1 – 2 weeks so we don't have a ship date on that yet. Chairman Martin made a motion to purchase necessary signs for the diesel tank once painted.

NEW BUSINESS

Ridge Escrow Account – The Secretary reported that we received a check from Ridge Development for an escrow account. The Treasurer has opened a separate account and will pay all engineering bills from that account. The Treasurer is the only signature account.

Road Materials Bid - The Secretary reported that the Roadmaster's recommendation is circled on the sheets. Vice Chairman Sheaffer made a motion to accept the Roadmaster's

recommendations for the Road materials. Chairman Martin seconded the motion. Motion approved.

2017-18 Diesel Fuel Bid Award – The Secretary reported that she received the fuel bid from Provident Energy Consulting. Talley was not the low bid this year; it is PAPCO out of Aston, PA. The price is 1.7286/gal. That is a .11/gal. increase over our current contract. The Secretary reported that she had time constraints and had to submit a purchase order. She asked the Supervisors to ratify the purchase. Chairman Martin made a motion to ratify the diesel fuel bid award. Vice Chairman Sheaffer seconded the motion. Motion Approved.

Bream Consignment Auction – Chairman Martin reported that Chris Bream is having an auction at his house on Hosfeld Road on April 22, 2017. We have had several complaints about this but we having nothing in our Ordinances to prevent it. We will monitor it and if there are any problems we will deny any in the future.

State Police Coverage Tax – Chairman Martin stated that we need to start thinking about this since Governor Wolf is requesting municipalities without their own police departments start paying for PSP services. We need to contemplate how to handle this. Vice Chairman Sheaffer stated that he believes that would make us pay for the services twice.

Office/Meeting Room Expansion - Chairman Martin stated that we have been talking about this for a few years. We did not have the room before, but now that we have the new equipment building we need to think about this. The office is very cramped. We are looking at moving the office into the current meeting room and moving the meeting room to the first bay.

Illegal Dumping – The Secretary reported that we had an instance over the weekend where someone filled our dumpster. The Secretary reported that she has video of two gentlemen pulling up in a distinctive Gator dumping trash and driving away. Chairman Martin said we need to determine if we call the States Police to investigate theft of services. Vice Chairman Sheaffer asked if anyone checked the materials for any kind of identification. The Secretary reported that they did, the only information found was his, which is why they have not contacted the State Police yet. Chairman Martin said we thought maybe the Boy Scouts were cleaning up the road and dumped it in there. Vice Chairman Sheaffer said the Boy Scouts bag the materials and sit it along the road for the State to pick up. The Secretary was instructed to contact the State Police.

CORRESPONDENCE

Chairman Martin reported that Tri-County Regional Planning sent us an email stating that they are looking at unfunded traffic projects and asking if we want the Route 233 Corridor Study. They want to know from us if we would like to keep it on the schedule as an active project. Vice Chairman Sheaffer made a motion that we send a letter to Tri-County Regional Planning asking to keep Exit 37 on the schedule. Chairman Martin seconded the motion. Motion approved.

Richard Rovigno – The Cumberland Conservation Collaborative extended an invitation to a Forum on preserving Cumberland County’s Rural Landscape and Natural Resources. It will be held on Thursday, May 11 starting at 5:30 at the Penn Township Fire Hall.

PROJECT UPDATES

Official Map – Planning Commission will be discussing this at their meeting Monday night.

Equipment Building – Between last month and this month some of the snow guards came off the roof. The contractor has been back and replaced them and touched up the paint. They also checked the rest to make sure they were tight. The blocks and landscaping is completed around the building. We are now cleaning up the stone piles.

ZONING CODES ENFORCEMENT

Tim Knepp reported he had 8 permits for the month. One was for a driveway. The driveway was paved but the Roadmaster said it was not acceptable. It is too high, will block stormwater and will get caught if they edge or plow. The Roadmaster was meeting with the property owner this evening to explain the problem.

87 South Side Drive, Beth deMarco – Mr. Knepp stated Chairman Martin went with him to see her earlier in the week. There is an illegal addition going on to her deck in the rear of the house and there was a chicken running around. Ms. deMarco stated the building was there before she purchased the property. She still needs to talk to Mr. Kelley about it since it is on his property. She has been told to cease work on the deck until all permits are obtained. She has submitted a permit for the deck and her fence.

Bowermaster – Mr. Knepp reported this has been going on for well over a year with the garage roof. If the building would collapse it would block the only access to Beetem Hollow Road for residents and emergency personnel. Chairman Martin initially had a local farmer that was going to repair the garage roof for her. He was trying to coordinate it with her son, who did not return calls. The problem is now much worse so he is not sure if the farmer is still willing to make the repairs. Last month we sent her a letter served by a Constable. Mr. Knepp and Chairman Martin made arrangements to meet with Mrs. Bowermaster at her property. There is now an issue with the house, the roof on the house appears to be falling in. When they met with Mrs. Bowermaster they told her they were more concerned with the house and her safety. A portion of the wall and one story addition to the rear of the house had collapsed and her son repaired it. Mrs. Bowermaster allowed them inside to see the extent of the damage, there are two main support beams in the kitchen that are broken in two, she has troughs in the house with pumps to pump the water out, and there is loose wiring, three broken rafters and possible mold in the insulation. We are concerned for her safety living in these conditions but we do not know where to turn. The Secretary was directed to contact Cumberland County Department of Aging to see if they can offer any suggestions.

Hilltop Greenhouse – Mr. Knepp reported that we have had an ongoing problem with them for the past two years and the placement of their signs, at the end of their driveway, at the intersection of Smith and Ritner and the intersection of Hair and 233. The road crew has complained that they place the signs in our right-of-ways and it interferes with our mowing and they also place signs so that they obstruct sight distance at Smith and Ritner for traffic pulling out onto Ritner Highway. Mr. Knepp stated that last year there was an issue with a sign and he took it back to them and explained the issue. Mr. Knepp said that we have not cited them in the past for the issues with the sign as well as the illegal burning they have been told about. Chairman Martin made a motion to have Mr. Knepp take the sign back to the greenhouse owners along with a citation. Vice Chairman Sheaffer seconded the motion. Motion approved.

Kyle Snyder – Mr. Knepp stated that he has noticed that Mr. Snyder now appears to have a donkey or miniature mule on his property at 201 Leeds Road. Mr. Knepp passed out a copy of an agreement that was reached between Mr. Snyder, Chairman Martin and Mr. Knepp listing the number and type of animals he has on his property and stating that he is not permitted any more animals. This agreement was dated August 30, 2016. The agreement listed chickens, ducks, a dog and 2 goats; nowhere does it reference a mini-mule or donkey. Mr. Snyder is not living up to his end of the agreement and Mr. Knepp wants to know the Supervisors' wishes. Mr. Knepp asked the Solicitor the validity of the agreement. The Solicitor stated that the Township can have private agreements with people; however they must honor them. If Mr. Snyder does not keep the agreement he will be required to go by the book. That will require a Conditional Use Hearing. The Secretary stated she felt this would be best handled by the Solicitor. All the photos Mr. Knepp produced today were taken from the roadway. Chairman Martin stated that Mr. Snyder's animals are close to the small stream that runs by the Township Building so he needs to have a Manure Management Plan.

Mr. Knepp said there are properties in the Township where it is not safe for firefighters to enter the structure because of the fire load, junk, blocked aisle ways and blocked doors. Mr. Knepp stated these are significant hazards for responding emergency workers. There are local municipalities that have a procedure in place that would fit this. Mr. Knepp submitted a rough ordinance to the Supervisors for their consideration and, if they agree, submission to the Solicitor to develop an ordinance. This would only be for protection of emergency responders. If a building is determined to meet these conditions it would be deemed an unsafe, no entry structure. The property owner would be notified, a sign would be posted on the structure indicating it is a no entry structure and the County 911 system would be notified and they would place it in their system. If a fire call would come up at that address they would notify the responding fire companies that it is a no entry structure. The only fine associated with the ordinance would be if the posted sign were removed. It does not require the property owner to fix the building. Chairman Martin said he thought it should also include outside hazards of junk and debris in the yard that can be obscured by grass and weeds. The Solicitor will look into it and discuss it with PSATS. Chairman Martin said we also need to discuss it with the fire company.

Mr. Knepp stated that he has received literature for the Pennsylvania Association of Zoning Officials, a new part of PSATS. It is an association that zoning officials can join. Dues are \$125.00/year. They offer a free Certified Zoning Officer Test that gives a Zoning Officer credentials stating that he meets standards. Besides the yearly dues we would need to buy a 2009 Zoning Code Book and Code Administrator's Manual. The initial year would be \$201.00 when you include the price of the books. The Solicitor stated that it sounded worthwhile. Vice Chairman Sheaffer made a motion to allow the Zoning Officer to join the Pennsylvania Association of Zoning Officials, pay the dues and purchase the reference books. Chairman Martin seconded the motion. Motion approved.

John LeDane – Mr. Knepp asked if we are current with any liens on Mr. LeDane's property since he passed away. The Solicitor stated that with an estate you can't sue the dead person; you have to sue the administrator or executor of the estate. Andy Shaw is the attorney for the LeDane estate. The Solicitor is contacting Mr. Shaw to submit our expenses to him. Chairman Martin stated that if the grass on the property gets too high, we will have to mow it and bill the estate.

SOLICITOR REPORT

The Solicitor stated that he has the decision from the Henry Conditional Use Hearing.

Nolt, 44 Hair Road – The Solicitor stated that he understands that Chairman Martin had received another correspondence from Mr. Nolt. He stated that the Supreme Court returned it to Mr. Nolt since the time for reconsideration was closed. The Secretary stated we still do not have Mr. Nolt’s tenants registered. The Solicitor stated he will file a Writ of Execution and have it served by a Constable.

FPE Engineering – The Solicitor stated that he has a new mediator he is trying to get approved by the insurance company. He had to request a different list of mediators since they would not agree on one. Chairman Martin stated that if they do not agree to a mediator we need to sue them. The Secretary stated that we need to get the engineer working on writing the bid package for the project.

Hoedecker – This is essentially closed.

Stormwater Management Agreement – We received an unsolicited management agreement from Ridge Development. It has been forwarded to our engineer for review and recommendations. Chairman Martin stated that he has some significant problems with the agreement. The Solicitor stated that we need to hire a hydrologist/geologist. Mr. Suhr sent us two suggestions, Craig Wilson recommended the ARM Group out of Hershey. The Solicitor suggested that Chairman Martin and Mr. Wilson interview the ARM people. Wayne Stevenson stated that when he met with a representative of Ridge he said they would use whoever we get. He said that DEP is pushing the filtration system.

OTHER REPORTS

COG – Chairman Martin reported that they had a presentation about Rails to Trails. A bridge has been put over Big Spring Road out of Newville. They bought a four section bridge out of Frederick, MD. Two sections went there and the other two sections went to Fogelsonger Rd. Shippensburg. They estimate they saved \$100,000 by buying a used bridge. Route 233 will be cut just this side of Newville to put in a culvert; it should be closed 3 days. A 3M representative was there. There will be an electronics recycling in Shippensburg on April 22 at two different locations in Shippensburg. Scam emails have been going out to municipalities asking for account information. Chairman Martin and Wayne Myers were elected as the COG points of contact for the new County radio system.

Ag Preservation - Chairman Martin reported that they tentatively approved the development rights for eight farms, one in Penn Township, for a total of 862 acres this year’s allotment is \$3.155 million for land preservation.

Roadmaster – Chairman Martin reported that the road crew is getting ready to start tar and chipping, paving, sweeping and tree trimming. Drive safely. The Secretary reported that they took down several trees earlier in the week and were working on cleaning gutters.

Fire Marshal’s Report – No report

APPROVAL OF BILLS LISTING

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

SUPERVISORS' REPORTS

Vice Chairman Sheaffer stated that he has had residents asking him if we will start taking scrap metal again. The Secretary reported that the road crew is going to use blocks to set up an area on macadam behind the new building.

Chairman Martin reported that he met with Ag Point twice this week. They have repaired the roof. He went out with the Zoning Officer several times this month dealing with residents. And his normal everyday business taking care of things at the Township. It has been a quiet month.

Mr. Knepp said he had something to bring up that should have been under old business. He has gotten a fencing contractor to look at the fence at the DJ's office. They have looked at it and they are going to get back to him. They are willing to fix the fence.

ADJOURNMENT

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

NEXT REGULAR MEETING May 11, 2017

Respectfully submitted,

Vicki Knepp
Secretary