

**PENN TOWNSHIP BOARD OF SUPERVISORS**  
**1301 Centerville Road**  
**Newville, PA 17241**  
**Tel: 717-486-3104 Fax: 717-486-3522**  
**Reorganization Meeting**  
**January 2, 2018**

Supervisor Martin called the meeting to order and led everyone in the Pledge of Allegiance to the Flag.

Those present: Supervisor Gary Martin, Vice Chairman Ken Sheaffer, Supervisor Ron Tritt, Treasurer Martha Sheaffer and Secretary Vicki Knepp.

**PUBLIC COMMENT**

Sean Lacey – Mr. Lacey said the Planning Commission does not meet again for two weeks but they are following up on the status of the Ridge Penn Commerce as they understand it. The original NPDES permit has been closed out effective December 27 and a new permit has been submitted, but it has not been published in the PA Bulletin yet. They expect it to be in the January 6, 2018 PA Bulletin. That starts the clock for the 30 day public comment period. Mr. Lacey said the Supervisors now have the opportunity to request a public hearing on the permit application; the Planning Commission is in support of requesting the Supervisors formally submit a written request to the DEP Office in Harrisburg. We would need to put in the request that it be held in the Township rather than in Harrisburg. We must be on record with our request for a public hearing before the close of the 30 day public comment period. All of the residents of the Township will have the opportunity to submit written public comments to DEP during the 30 day period. The Planning Commission would like the Township to communicate to everybody that the comment period is open and provide the address to send letters. The Planning Commission presented the Board with a letter requesting that the Board of Supervisors submit a request to DEP for a public hearing. Mr. Lacey said that the Planning Commission will come back to the Supervisors for assistance in making all the residents aware that there is an option for public comment.

Mr. Lacey reported that Mr. Heishman has had more water problems. Chairman Martin stated that he received notice from Mr. Heishman about the problem, but at that time there was no one working on the property. The most recent incident with Mr. Heishman is that his pipes were eaten out again. They believed that most of the problems that people would have would be silt or dirty water. It makes them wonder what is going on. There is an old dump on the site. Gary Cribbs stated that he discussed this with Bill Seaton; it could be leaching out because of new fissures created by the well drilling.

Mr. Lecay said that with a brand new 30 day public comment there is an opportunity for all this information to be entered into it in a more formal sense either by the Township or the public. He said that he does not know if anyone has ever explored if there are any toxins in the waste there.

Mr. Lacey stated that there is a question as to what constitutes an Executive Session under the Sunshine Law. Mr. Lacey recommends that we get all the experts together and discuss things without coming to a decision. He would like them all to get together and determine where they are at the moment. Does the new issue with Mr. Heishman's water have any implications? Do his new issues have any role in the Township's decision making power on the permit? Does this fall under the Developer's Agreement as past issues? Or is this one of the future issues? Chairman Martin stated that until they find out where it is coming from and what is causing it we do not know. Mr. Lacey said we really need to talk about where the issues with Mr. Heishman and the other residents with well problems fit in. Is this something the Township is going to exert influence to have the issues correct, but not legally taking on the issue? Is someone taking water samples? Is anyone going to be in contact with Bill Seaton on this? The Supervisors agree that the Township should be the ones to talk to Mr. Seaton. Mr. Lacey stated that working on the relationship with the Planning Commission and the Supervisors is an ongoing issue; however, the issue of the wells is in front of all the residents for the next 30 days. There will be people coming in to a public hearing or writing in for the 30 day period and some issues may be raised. Is it more than fouling wells? Is there something buried in the ground that is being dislodged? Was that ever taken into consideration by the developer or DEP? Supervisor Sheaffer stated that the more individuals who write letters would have more weight with DEP. He believes that would have as much impact as anything else. He suggested that if each of us would submit a letter to DEP addressing our concerns that would have a lot of sway at DEP. Mr. Cribbs stated that as a Township we do not know who is having problems with their wells. The Township has never addressed the citizens on this in a newsletter or any other manner. We need to have an article in the newsletter asking if people are having problems with their wells. The only thing ever published in the newsletter is what the Planning Commission has submitted. Mr. Cribbs wanted the information sent out on the email list also. He also wants the Secretary to put something upon the Township facebook page. The Secretary explained that the only email list she has is for the newsletter. She stated that in dealing with Township residents it seems like the majority of people do not have computers, let alone email or facebook pages.

Mr. Lacey said we need to have Mr. Seaton come out and study the problem, but we also need to find a way to get representatives of the Planning Commission and Supervisors together to work. The Secretary stated that there is already an advertised workshop scheduled for January 18. That would be an opportunity for them to get together without violating the Sunshine Law.

Mr. Lacey stated that the developer was willing to pay for the damage to Mr. Heishman's property before. The damage he has now sustained is over the amount that was put aside. Does this fall under the Developer's Agreement? Is this part of the future damage that they were assured would be covered? The Planning Commission did not see that in writing. Chairman Martin stated that we have to figure out what the cause of the problem is. It has to be proven that the developer caused the problem. Wayne Stevenson said we need to get the wells tested. Chairman Martin said the Township would contact Mr. Seaton tomorrow. Mr. Cribbs said that he was told by Mr. Seaton that the testing of the wells was to start in January.

Dan Ries asked if we knew if any drilling was done where the dump sites were. Chairman Martin stated that they had not, but that does not mean there are not other dump sites on the property. Mr. Lacey stated that things could have leached out of the dump site. Supervisor Sheaffer will contact Mr. Seaton on Wednesday.

Mr. Cribbs requested an agenda for the January 18 meeting. Mr. Ries suggested that in the next week the Planning Commission submit a list of concerns to the Supervisors to be included in the agenda. Mr. Cribbs asked if the Planning Commission could meet to discuss the list. The Secretary stated that she was told that there is no such thing as an Executive Session for a Planning Commission. She received her information from the legal Department of PSATS. Mr. Lacey says there is no law that says a planning commission can have an Executive Session, but there is no law that says they cannot. Even though injection wells are legal DEP needs to fully consider whether they are appropriate on that property given the fact that we don't have public water and we don't know what it will do to our drinking water. Mr. Stevenson is concerned that if they get an okay they will begin moving dirt. Chairman Martin suggested that the Planning Commission have their questions together by the following Tuesday and no more than three members of the Planning Commission and one supervisor will get together and hopefully have something from Mr. Seaton. If anything would come up action could be taken at the Board of Supervisors Meeting on the 11<sup>th</sup>. It was agreed that they will meet at 7:00 at the Township Building on January 9.

Chairman Martin discussed the meeting that was cancelled. The Supervisors cancelled the meeting because they were under the impression it was to be a full meeting of the Planning Commission and it was not advertised. Mr. Lacey stated that there should have been the courtesy of contacting the Planning Commission.

## **APPOINTMENT OF TEMPORARY OFFICERS**

Supervisor Martin made a motion to appoint Supervisor Sheaffer as the Temporary Chairman. Supervisor Tritt seconded the motion. Motion carried.

Supervisor Martin made a motion to nominate Vicki Knepp as Temporary Secretary. Supervisor Sheaffer seconded the motion. Motion approved.

### **ELECTION OF BOARD CHAIRMAN AND APPOINTMENT OF TOWNSHIP STAFF**

Supervisor Sheaffer nominated Supervisor Martin as Chairman. Supervisor Tritt seconded the motion. Motion approved. By voice vote Supervisor Martin was elected Chairman.

Chairman Martin nominated Supervisor Sheaffer as Vice-Chairman. Supervisor Tritt seconded the motion. By voice vote Supervisor Sheaffer was elected Vice-Chairman.

Supervisor Tritt nominated Vicki Knepp as Secretary. Vice-Chairman Sheaffer seconded the motion. By voice vote Vicki Knepp was elected Secretary.

Vice Chairman Sheaffer nominated Martha Sheaffer as Treasurer. Supervisor Tritt seconded the motion. By voice vote Martha Sheaffer was elected Treasurer.

### **NEW BUSINESS**

Resolution 2018-01 Appointment of Township Staff – The Resolution was voted on in sections. Vice Chairman Sheaffer made a motion to appoint the Township Staff. Supervisor Tritt seconded the motion. Motion approved. Vice Chairman Sheaffer made a motion to approve the Appointed Elected Officials. Supervisor Tritt seconded the motion. Motion approved. Vice Chairman Sheaffer made a motion to approve the Appointed Legal Counsel, Engineer and Sewage Enforcement Officer. Supervisor Tritt seconded the motion. Motion carried. Vice Chairman Sheaffer made a motion to approve the Fire Police Listing. Supervisor Tritt seconded the motion. Motion approved. Vice Chairman Sheaffer made a motion to accept the Miscellaneous Actions. Supervisor Tritt seconded the motion. Motion approved.

Resolution 2018-02 Establishing Wages, Commissions and Mileage Rates - Chairman Martin stated there would be no change this year except to the mileage rate. Vice Chairman Sheaffer made a motion to approve Resolution 2018-02. Supervisor Tritt seconded the motion. Motion approved.

Resolution 2018-03 Schedule of Fees - Vice Chairman Sheaffer made a motion to approve Resolution 2018-03. Supervisor Tritt seconded the motion. Motion approved.

Resolution 2018-04 Personnel Manual –Vice Chairman Sheaffer made a motion to approve Resolution 2018-04. Supervisor Tritt seconded the motion. Motion approved.

Resolution 2018-05 Establishing Staff Holidays, Hours of Work & Board of Supervisor Meeting Dates – Vice Chairman Sheaffer made a motion to approve Resolution 2018-05. Supervisor Tritt seconded the motion. Motion approved.

Resolution 2018-06 Equipment Schedule of Fees – Vice Chairman Sheaffer made a motion to approve Resolution 2018-06. Supervisor Tritt seconded the motion. Motion approved.

Resolution 2018-07 Special Fire Police Policy – Chairman Martin made a motion to approve Resolution 2018-07. Supervisor Tritt seconded the motion. Motion approved.

## **OLD BUSINESS**

The Treasurer asked how she is to deposit the monies from Exeter. The Park & Rec account is not an interest bearing account. She asked if she should deposit the check earmarked for Park & Rec into a CD instead of the checking account. If we put it into a CD for how long? Vice Chairman Sheaffer said that we should put it into a CD for at least a year. Chairman Martin suggested that the Treasurer get rates. The Treasurer stated she had already researched rates and Orrstown Bank had the best. Marcia Leeds suggested that the Treasurer look into State Farm Bank. She said that is where the Auxiliary has their money and it has the best rates. The Treasurer said she also has a check for the Road Improvement Fund. Chairman Martin stated that will not be used for a number of years. It needs to go into a long term interest bearing account. We need to be able to add to this when we get the money from Ridge. Mr. Ries stated you just get multiple CD's. Vice Chairman Martin made a motion to invest the Park & Rec and the Road Account monies. Motion died for lack of a second. Chairman Martin suggested she get information and bring it back to the January 11 meeting to make a decision. The Treasurer stated that since we have all this extra money we need to up her bond. Chairman Martin made a motion to increase the Treasurer's bond to \$2,000,000.00. Vice Chairman Sheaffer seconded the motion. Motion approved.

Chairman Martin stated he would like to welcome Supervisor Tritt to the Board. Supervisor Tritt said it will be a learning experience.

Chairman Martin asked Supervisor Tritt to attend the COG meeting on the 8<sup>th</sup> with him.

Gary Cribbs said they would like to welcome Supervisor Tritt also. He said he thought it would be good if everyone could get together and be on one page. Chairman Martin stated that if the Planning Commission wanted to have special meetings they need to get things to the Secretary in writing so she has the needed information to do what needs to be done.

## **ADJOURNMENT**

Supervisor Tritt made a motion to adjourn. Vice Chairman Sheaffer seconded the motion. Motion carried.

*Next Meeting Thursday, January 11, 2018*

Respectfully submitted,

Vicki Knepp, Secretary