

PENN TOWNSHIP BOARD OF SUPERVISORS
1301 Centerville Road
Newville, PA 17241
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Regular Meeting
February 8, 2018

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 Ronald Tritt, Solicitor Marcus McKnight, Treasurer Martha Sheaffer and Secretary Vicki Knepp.

PUBLIC COMMENT

Wayne Stevenson, Planning Commission Chairman stated he has the six phases the Planning Commission has drawn up that they would like to be sure are done for the Ridge Penn Commerce Center. He will give the list to the Solicitor. Chairman Martin stated we will be covering this under the project updates.

APPROVAL OF MINUTES

Vice Chairman Sheaffer made a motion to approve the minutes from the January 11, 2018 Regular Meeting. Supervisor Tritt seconded the motion. Motion approved.

Vice Chairman Sheaffer made a motion to approve the January 31, 2018 Treasurer's Report. Supervisor Tritt seconded the motion. Motion approved.

APPROVAL OF SUBDIVISION PLANS

Meleason Subdivision – No one was present to discuss the plans for the Meleasons. Vice Chairman Sheaffer made a motion to table the plans. Supervisor Tritt seconded the motion. Motion approved.

Exeter 801 Centerville Road – The Solicitor explained that we need to ratify the plans for continuity of the plan dates. Chairman Martin stated that Mr. Gensler said that he was told there will be a road running along the property line. We are not in favor of this we thought the roads would be inside the berm area. Tom Theobald representing Exeter said the roadways will be inside the berm and not against Mr. Gensler's property. Mr. Knepp said there was no building permit issued yet, but two construction trailers were placed there. Gary Cribbs asked about the schedule of dynamiting, he wanted to know how long it would continue and the frequency. Mr. Theobald said he does not have the schedule but he will try to find out. The Solicitor stated we are always looking for contributions for the fire company. Mr. Theobald said that was brought to his attention and he is trying to work something out. Mr. Theobald said he was contacted by Mr. Mallios about the possibility of

moving the Clelan driveway completely inside the berm. Chairman Martin said we would prefer it but we understand it might not be feasible. Vice Chairman Sheaffer made a motion to re-execute the Land Use Plan for Exeter. Supervisor Tritt seconded the motion. Motion approved.

UNFINISHED BUSINESS

Trash – The Secretary stated that she had 4 residents who did not pay their bills. She will be stopping their service next Monday. Supervisor Tritt made a motion to have the Secretary stopped the trash services that are not paid. Vice Chairman Sheaffer seconded the motion. Motion approved.

Septic – The Secretary stated that she has gotten all the reports posted that she has received from the pumpers. Out of 291 systems that should have been done in 2017, she has not received reports for 53. She knows that of that 53, two were pumped, but the homeowner has not paid the bill so they will not release the reports. The Secretary stated she will be sending letters to the 53 giving them until the end of March to pump their system or legal action will be taken. The Solicitor stated the one person who did not get their system done when it was due in 2026. He property owner asked if he could pay \$50.00 on the reduced amount. Vice Chairman Sheaffer made a motion to accept payments of \$50.00 on the judgment. Chairman Martin seconded the motion. Motion approved.

Drainage issues on Kutz Road – The Secretary stated that we received a report from the Engineer. Part of the issue was created by the homeowner. Chairman Martin stated that the retention pond itself needs to be dug out. However, the house sits lower than the road, a row of trees was planted behind the house and it creates a natural dam and the driveway was built up which retains the water. The engineer needs to come up with specific recommends for Justin Foster, whose property the water is running off of. In addition, a letter from the engineer should be sent to the homeowner with a copy of the report. Vice Chairman Sheaffer made a motion for the Township Engineer to make specific recommendations to Justin Foster to bring his drainage system into compliance and to send a letter to Jonathan Bream with a copy of the Engineer’s report. Supervisor Tritt seconded th emotion. Motion approved.

NEW BUSINESS

Planning Commission Voting Alternates – Chairman Martin stated that due to a change in the MPC we have the authority to increase the size of the Planning Commission by including Voting Alternates, as we have on the Zoning Hearing Board. Voting Alternates have the authority to contribute to discussions in the meetings, but, they cannot vote on anything unless there is a missing member on the Board. We have two people who have applied for membership on the Planning Commission. One of them will not apply until the Ridge issue is over. The Supervisors will be interviewing the other applicant on the 15th at 6:15 prior to the Supervisor’s Workshop. Chairman Martin invited Wayne Stevenson and Gary Cribbs to attend the interview.

Agricultural Security – The Secretary reminded the Supervisors that they had voted in 2017 that due to the expense involved for the Township, future Ag Security Area applications would be handled by deemed approval. The Secretary reported that she has

received an application from the Haltemans at 48 Bream Road, Carlisle Pa to place their 25.4832 acre farm in the Ag Security Area. The 180 days is up for the deemed approval. Chairman Martin made a motion to approve the addition to the Agricultural Security Area. Vice Chairman Sheaffer seconded the motion. Motion approved.

Walking Trail Paving – Supervisor Tritt stated that he met with Jerry Schlusser of Schlusser’s Paving for a price on paving sections of the walking trail at Centerville Park that are starting to deteriorate. The trail is 8’ wide by 2,003’ and the basketball court is 65’ x 50’. Mr. Schlusser would charge \$5,000/per day for the paver, manpower and other equipment he needs for the job. Mr. Schlusser figured it would require 385 ton of equipment that could be purchased under COSTARS. The materials would be approximately \$19,250.00 plus \$10,000.00 for the equipment. Total job would be \$29,250.00. Chairman Martin stated this would keep us from paying prevailing wage. Vice Chairman Sheaffer made a motion to pave the walking trail at the Centerville Park. Chairman Martin seconded the motion. Motion approved. The Secretary stated she believes that due to the amount it would still require advertising and bidding. Vice Chairman Sheaffer made a motion to advertise for bids. Chairman Martin seconded the motion. Motion approved.

Supervisor Tritt stated that they also walked the firehouse walking trail, 1,400’ of that trail is not paved, it is walking trail stone mix. The trail is 10’ wide. Mr. Slusher gave a price of one day labor, \$5,000.00 for his equipment and estimated 280 ton of material, which would be approximately \$24,000.00 to pave that portion of the trail. Vice Chairman Sheaffer stated that he believes there was a reason that portion of the trail was not paved. He suggested we speak with Buck Shuller to find out the reason why it was left unpaved, possibly an issue with the parking for the fair. Chairman Martin suggested tabling this for now until we can get additional information.

Smith Road – Supervisor Tritt stated that it will cost a lot to repair Smith Road from I-81 to the Ritner Highway. The Roadmaster and Mr. Slusher measured it. It is one and a half miles of road. It would take 3 days of labor and equipment minus trucks at \$3,500.00/day, 2,200 tons of blacktop material, material \$127,000.00 and equipment \$15,000.00. Chairman Martin stated that would take a large chunk of our State Fund. The Secretary stated that once we take out what is earmarked for the new truck we do not have that much in the Liquid Fuels checking account. We would have to cash in our CD. Chairman Martin stated we need to table Smith Road until we can discuss this further. He suggested that Beetem Hollow Road North really needs work done. Chairman Martin suggested they work with the Roadmaster and make a 5 year plan for road repairs.

CORRESPONDENCE

Kirk Stoner forwarded an email from PennDOT regarding signs for the warehouses. Chairman Martin stated this came out of the meeting with PennDOT the previous week where signs were discussed. Nothing was included that would really help us.

PROJECT UPDATES

Ridge Penn Commerce Center – Chairman Martin stated they had a meeting at the Solicitor’s office on January 23, 2018. They detailed the well testing procedures and

discussed monitoring the roof water after it comes off the roof and after it goes through the filters. Bill Seaton has been pleased with the responses from Ridge. Chairman Martin stated that he and Supervisor Tritt have been talking to various residents about getting their wells tested and getting a list of people to get to ARM. Mr. Seaton has the list now.

Wayne Stevenson asked why Ridge is drilling wells again. Chairman Martin stated he did not know but we will check it out. Gary Cribbs said that Ridge got their construction permit. Jim Buchanan asked how many permits they will get. Mr. Cribbs said that they do a construction permit, but that is separate from the groundwater permit. Chairman Martin said they have to go through the testing phase first. Sean Lacey asked if the list of wells to be tested will be available and if the testing will be contracted out. Chairman Martin stated that when it is finalized we will have the list and a water monitoring firm will be hired. Mr. Lacey wanted to know if the wells will be tested for the next several years. The Solicitor stated that he wants the same company doing the testing on all the wells to keep it consistent. The Solicitor stated that there will be no water allowed into the wells until the monitoring is in place. Mr. Lacey expressed concern that the dump is bigger than previously thought. The Solicitor stated that as part of discussions the developer has agreed to incorporate into the testing phase the proposal that the Planning Commission adopted. Chairman Martin stated that Mr. Seaton is going to be in charge of checking out the ore pit. Ridge has assured the Township that whatever Mr. Seaton finds they will remediate. The Solicitor suggested that Mr. Seaton give us a plan with dates to it rather than the Supervisors speculating on when things are going to be done.

Gary Cribbs asked if the Exeter dynamiting plan will be shared with Mr. Seaton.

Mr. Cribbs stated that the Township needs to retain recordings of any meetings with warehouse developers. The Solicitor stated that in Penn Township, as well as most of the townships in the COG, the recordings are only meant to assist the Secretaries in preparing the minutes. They are not kept as an official record of the meetings. If we want an official record of any meeting we have to get and pay for a Court Reporter. The State Historical Commission states that they should not be retained.

ZONING CODES ENFORCEMENT

Tim Knepp stated he approved one permit application and had two complaints. One of the complaints related to multiple bags of trash piled up on a property. Trash service to this property had been stopped some time ago due to non-payment. He hand delivered a notice of violation to the property owner. He spoke with the owner earlier today. The property owner related that her husband is in the hospital and has not been working for some time. She will not be able to work because she needs to take care of him. They are trying to file for bankruptcy and asked for time. Mr. Knepp stated that she needs to at least place the bags in one of their sheds. He asked the Supervisors if he can establish a payment plan with her to get the trash paid off. Vice Chairman Sheaffer made a motion to have the Secretary send a letter stating we will accept a payment plan for the delinquent trash. Supervisor Tritt seconded the motion. Motion approved. Randy Heishman suggested that the Boys Scouts might be able to do something on the trash; they need a community hours project. Vice Chairman Sheaffer stated it needs to be approved by the Committee first. The Solicitor stated that a payment plan must be in writing.

Mr. Knepp stated his second complaint was a repeat. There are dogs running loose on Fox Hollow, he sent the owner a notice of violation that the dogs must be under his control any time they are off his property. He did not hear any more complaints for months so he thought the owner had complied. He now has complaints from three different neighbors, including one where the dogs chased the complainant back into her house and another complaint of the dogs going into a neighbor's garage and stealing meat while he was butchering a deer. Since he issued a warning last year Mr. Knepp has cited the owner of the dogs. He has made it clear that fines on future violations will increase and that it is per dog. If he has no response on the citation by next Monday he will be filing with the Magistrate.

LeDane _ Mr. Knepp said he spoke with Attorney Shaw for an update. He had not mailed the eviction papers yet, it will be at least another month.

Fire Company – Mr. Knepp reported that the fire company has not registered their security or fire alarm system. Since it would be considered a commercial system would we waive the fee? Chairman Martin made a motion to waive the fee for the alarm registration. Vice Chairman Sheaffer seconded the motion. Motion approved.

SOLICITOR REPORT

Solicitor McKnight presented a copy of Ordinance 2018-01 Noise Ordinance with changes recommended by Planning Commission incorporated.

Restricted Duty Policy – Chairman Martin stated that this is an addition for the Personnel Manual.

Stambaugh – The Solicitor reported that Clouse has a judgment of \$850,000.00 against the Stambaughs and is foreclosing on three of their parcels. They are going up for Sheriff Sale. In addition there are two years of taxes due so it would get slated for Tax Sale if it is not sold at foreclosure. We may find a new owner taking over the property. Hearing is scheduled for March 20 for our latest filing against the Stambaughs.

FPE – The new Engineer says the culvert on South side is undersized, the Roadmaster says it has flooded three times already. We think we could put a whole new culvert in sized properly for not much more than the repair would cost. The Solicitor asked for an estimate on the cost and an amended letter saying the original engineer undersized the culvert. The attorneys are agreeing on the mediation, however, the adjuster working on the claim has left the company and the new adjuster needs to get familiar with the case.

Nolts – The Solicitor stated we are having trouble executing. Chairman Martin suggested we send a letter to ask them to sign up or request an exemption for trash.

OTHER REPORTS

COG Meeting next week

Ag Preservation – No meeting

Roadmaster – The contract has been signed for the new grant for Beetem Hollow Road. The road crew has been plowing, they have repaired some pot holes and have been repairing equipment.

Fire Marshal's Report – Mr. Knepp reported that there was one reportable fire at the apartments on Walnut Bottom Road in Centerville. It was a kitchen fire. A State Police Fire Marshal was brought in. He was unable to determine if it was the stove or a laptop placed beside the stove that was responsible for the fire. Damage is estimated at 10 to 13 thousand dollars.

Mr. Knepp reported that the fire company has pulled one of the Fire Marshal radios for the brush truck. He asked for permission to purchase a used radio for \$500.00 plus installation. Vice Chairman Sheaffer made a motion to purchase the radio. Supervisor Tritt seconded the motion. Motion approved.

Newsletter – The Secretary reported that she has started the next edition, however she is having writers block and needs an article or topic for the front page. Mr. Knepp stated that Shippensburg EMS has a new free program that they are trying to disseminate information on. It is a two part program: hands only CPR; and the second part is a Federal initiative called "Stop the Bleed". In mass casualty events many of the victims who succumb bleed to death. The Stop the Bleed objective is to teach lay people how to stop bleeding until further assistance can arrive in any circumstance such as farm accidents, vehicle accidents, etc. They hope to go to church groups, Mennonite communities, the Boy Scouts and other groups. He suggested an article about that in the newsletter with contact information.

Vice Chairman Sheaffer made a motion to approve the Alternative Duty Policy. Supervisor Tritt seconded the motion. Motion approved.

The Solicitor asked if we were going to support the COG resolution on Gerrymandering. Chairman Martin stated we voted on that at the last meeting.

APPROVAL OF BILLS LISTING

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

SUPERVISORS' REPORTS

Supervisor Tritt reported that he met with the Engineer; he went with the Roadmaster to look at and measure the walking trails; he attended two more PSATS Boot Camp trainings; attended the Planning Commission meeting; attended the workshop; worked with the road crew to empty the trailer; met with Mr. Schlusser on the walking trail paving; met with PennDOT Connect on the Route 233 bridge; and met with residents regarding voluntary well testing.

Vice Chairman Sheaffer stated he has been dealing with medical issues for the past month.

Chairman Martin stated that he met with the new Engineer; he attended the Planning Commission Meeting; attended the workshop; he administered the Oath of Office to the Fire Police; attended a meeting with Ridge construction; attended the PA Connects meeting at PSATS; PennDOT meeting on the Route 233 bridge; the South Mountain Partnership meeting; and talked with residents about well drilling. He also worked on several resolutions, ordinances and draft job descriptions for Township employees. He explained that PA Connects is a new program the new Secretary of Transportation has instituted. She was formerly a township supervisor and understands how important communication between PennDOT and municipalities prior to PennDOT starting projects in municipalities is. As a result of that meeting, we had a meeting here to discuss the replacement of the bridge on 233 south of Kecks. He said he thinks this new program is excellent.

Mr. Knepp said he would like to give kudos to one of the fire police, in the bad weather on Sunday he saw Fire Police Martin responding to an accident on his bicycle. Chairman Martin stated that all the fire police do an excellent job.

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

NEXT REGULAR MEETING MARCH 8, 2018

Respectfully submitted,

Vicki Knepp
Secretary