

PENN TOWNSHIP BOARD OF SUPERVISORS
1301 Centerville Road
Newville, PA 17241
Tel: 717-486-3104 Fax: 717-486-3522
Regular Meeting
June 14, 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

None

APPROVAL OF MINUTES

Supervisor Tritt made a motion to approve the minutes from the May 10, 2018 Regular Meeting. Chairman Martin seconded the motion. Motion approved.

Vice Chairman Sheaffer made a motion to approve the minutes of the May 17, 2018 Supervisor Workshop. Supervisor Tritt seconded the motion. Motion approved.

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

APPROVAL OF SUBDIVISION PLANS

None

UNFINISHED BUSINESS

Trash – The Secretary reported that she still has four residents who have not paid their bills and the service is stopped. Chairman Martin stated that he called for a bulk tire pick up and he said that they would only pick up one tire a week. In the past we could put out up to four at a time.

Septic – The Secretary reported that 380 systems are due to be pumped in 2018. She stated that so far 95 are done, 25%. She reported that of the 17 that were not pumped in 2017, she has received 4 pumping reports, has been told that 2 others were done but she has not received the reports yet, pumpers have notified her that 3 are scheduled and she reported that one resident called her late that afternoon requesting contact info for a hauler. That leaves 6 that have not pumped, scheduled or contacted the township. The

Solicitor reported that they sent letters on May 24, 2018. The Solicitor reported that the resident who did not pump their system in 2016 has missed two of the agreed upon payments for the fine. He said that this means he will have to pay the full amount, not the agreed upon amount.

Stambaugh – The Secretary reported that she got a call from Shirley Stambaugh stating they were unable to pay their agreed upon amount for the fine this month. Mrs. Stambaugh asked if they could pay the fine in full after a July 20 settlement. The Solicitor stated that they need to pay all fines at that time. Chairman Martin stated he has been contacted by a real estate agent regarding the potential sale of Stambaugh's 101-acre lot.

Tool Boxes – The Secretary reported that we received a bid of \$210.00 on Municibid for the toolboxes; however, the buyer wants us to find a shipper and pack them for shipping to Oklahoma. The listing on Municibid specifically stated "Pick up only". The Secretary contacted Municibid and rejected the bid. The tool boxes have been donated to the fire police instead. Supervisor Tritt said the fire police thank the Township.

Noise Ordinance – The Solicitor stated that the Ordinance has been advertised. He stated that "Now is the time and place for the hearing on the Noise Ordinance". The Ordinance has been reviewed by the Panning Commission. The Solicitor stated that the Ordinance exempts safety signals and warning devices; sirens; train horns and crossing signals; repair and maintenance of municipal services, public utilities or any other public agency; tools and materials used in the event of an emergency; musical, recreational or athletic events permitted by the Township; etc. There was a discussion regarding Item 4, Section 2. A. The Ordinance states that the dBa should not exceed 70 during the hours of 7 AM and 9 PM at the property line in or adjacent to a Residential District. The Secretary pointed out that they had conducted a test of two different chain saws at 50 feet, one chain saw was 87 dBa at idle and the other was 89 dBa at idle. She stated that a chain saw under load would be louder. Chairman Martin said you can't mow your lawn and stay under 70 dBa he suggested that it be bumped up to 90 during the day. Vice Chairman Sheaffer made a motion to adopt the Noise Ordinance with the change of Item 4, Section 2 a. to 90 dBa. Supervisor Tritt seconded the motion. Motion approved.

Silviculture Ordinance – Chairman Martin stated that the Ordinance was developed to protect our roads and infrastructure from the ravages of logging, not to limit logging. Chairman Martin stated that our secondary roads were not built for the logging trucks and we want to prevent damage. The Ordinance was based on the PSATS model ordinance and guidelines from Penn State. Vice Chairman Sheaffer made a motion to advertise the Silviculture Ordinance 2018-04 for hearing at the next Board of Supervisors Meeting. Chairman Martin seconded the motion. Motion approved.

NEW BUSINESS

CCATO – The Secretary reported that the County Convention will be at the Bongiorno Conference Center on October 4. The Secretary stated that the Convention Committee plans to do things a little differently this year. Instead of each Legislator and County Commissioner speaker there will be a Legislative Panel and a County Commissioner Panel. A 15-minute business meeting will be held in the morning followed by workshop sessions and after lunch there will be team building competitions. Chairman Martin made a motion

to allow the three Supervisors, the Secretary, Treasurer, Roadmaster and Zoning Officer to attend the County Convention. Vice Chairman Sheaffer seconded the motion. Motion approved.

Fish Hatchery Culvert -Chairman Martin reported that on May 22 he and the Roadmaster met with representatives from the State about the culvert going under Lebo Road by the railroad tracks. It is collapsing. The State will be replacing it sometime in 2019. The new Superintendent of the Hatchery is good to work with.

Park – Chairman Martin reported that sometime ago we had approached the State about putting a park in between the railroad and the Yellow Breeches Creek. They rejected our request. In speaking with the Fish Commission, they seemed receptive now. If there is interest in this park Chairman Martin would like to see the Park & Rec Committee reactivated. The Secretary will put something in the newsletter.

House Bill 1531 – Chairman Martin stated they discussed this bill at the COG meeting. Among other things this bill would require a township to post their agenda on their website at least 24 hours prior to the meeting and adhere to the agenda during the meeting. If a resident comes into a meeting and asks a question that is not on the agenda, the Township would have to refer the matter to staff or defer it to the next meeting. The Secretary said that the agenda is a very fluid document, she was making changes to it this morning. Chairman Martin said he thinks we should do a resolution against it for the next meeting. Vice Chairman Sheaffer made a motion to authorize Chairman Martin to support a resolution from the COG opposing this bill. Supervisor Tritt seconded the motion. Motion approved.

ACT 43 2017 Fireworks – The Secretary reported that in October of 2017 in among the Tax Reform Act the State put in an Article concerning fireworks. People are now allowed to purchase fireworks in Pennsylvania that we were never able to purchase before. The Secretary said she discussed this with the Solicitor and they feel that this should be something the Township requires a permit for so we can be sure that residents are aware of the regulations. The Act gives municipalities the authority to set up reasonable regulations of their own. Tim Knepp said we will not be able to get anything done prior to the 4th of July. The Secretary was instructed to put something in the newsletter regarding the regulations.

CORRESPONDENCE

Vector Control – The Secretary reported that we received an email late in the afternoon from Vector Control saying they would be spraying in the Township that evening from 8 – 11 behind the trailer park, on Beetem Hollow Road and on Peach Orchard Road.

PROJECT UPDATES

Supervisor Tritt said they are paving on Quarry Hill Road and still have some shoulder work to do yet.

ZONING CODES ENFORCEMENT

Tim Knepp reported that he had 5 permits for the month and one complaint. He said that the Roadmaster informed him that one of Pennsy's properties on Smith is overgrown. He sent a letter to Pennsy about mowing and that it needed an address sign. The Secretary reported that Pennsy called her, they were getting someone out to mow and he requested the information to get a green address sign.

Mr. Knepp stated that the Roadmaster reported to him that there was a fence put in on Hair Road that is too close to the road. Mr. Knepp met with the Engineer and verified that the right-of-way is 50' at that location. The fence is 13' into the right-of-way. Mr. Knepp asked if he needs to ask the farmer to move the fence out of the right-of-way. Chairman Martin stated that the fence needs to be moved out of the right-of-way.

231 South Side Drive – Mr. Knepp reported that we have had a couple visits from a neighbor regarding tires on the property. Chairman Martin said he received a visit from the neighbor also. Mr. Knepp said he will go to the property again.

Mr. Knepp stated he received an email Tina Makouljian of Ballard Spahr regarding Penn Commerce Center asking for very specific information. He is not comfortable answering these questions. The Solicitor stated that Attorney Suhr was contacted by these people with a more complicated letter, he had them simplify the letter. MDIA needs to answer some of the questions, some come from the Developer's Agreement. He suggested that the email needs to be sent to the Township engineer. Chairman Martin made a motion to have the Solicitor and Engineer respond to the email. Vice Chairman Sheaffer seconded the motion. Motion approved.

SOLICITOR REPORT

Ridge – The Solicitor stated that he has spoken with Atty. Suhr about two items, one was that Unilever has not paid the Developer's Agreement yet. Mr. Suhr gave him new contact information. The Secretary stated that she has sent a letter to the new contact along with a copy of the invoice. The solicitor asked Mr. Suhr where things stand with Ridge. The application is still under review with DEP.

The Solicitor stated he received the request for an estimate for revisions to the SALDO, Zoning and Comp Plan. He did the best he could with his response.

2274 Pine Road – The Solicitor stated that Red Barn Consulting submitted a plan for poultry barns on the Zimmerman property. Both he and the Engineer recommended to the Secretary that she reject the plan and suggest that Red Barn Consulting meet with us to go over the plans to make sure it is submitted properly.

85 Kutz Road Stormwater Issues – The Secretary stated that the Engineer said nothing has been done with regard to remediating the stormwater issues. At the last BOS meeting the Solicitor was authorized to take action if nothing was done.

FPE Engineering – The remediation is coming up on the 20th of June at the Solicitor's Office. The time has been changed from 9:30 to 10:00. The Solicitor requested an Executive Session to discuss the details later in the meeting.

OTHER REPORTS

COG – Chairman Martin reported that the County Outreach Meeting for the western portion of the county is June 19 at Shippensburg Borough Office. The electronics recycling has taken in to date 424,200 lbs. of electronic recyclables. There will be a Hazardous Household Waste collection on August 18, 2018 at the Allen Road location from 9:00 – 3:00. Mosquitoes are bad this year and the County is out spraying and putting traps out. The County Planning Commission is seeking a new member. The casino is looking at South Middleton Township. The School District passed a budget of \$50,396,598.00 for next year.

Agricultural Preservation – Cumberland County is now #7 in the state of counties with preserved farmland land acres. There have been a lot of conversations regarding CV School District trying to take over the preserved McCormack farm. That is a private trust and not the State Preserved Farmland Program.

Roadmaster Report – None

Fire Marshal – Mr. Knepp stated there was one reportable fire at the Office Depot Warehouse. A trash compactor caught on fire. He stated the cause was accidental. The maintenance staff worked well with the fire company.

Newsletter – The Secretary reported that the newsletter is almost ready to go to the printer.

APPROVAL OF BILLS LISTING

The Treasurer had a question regarding a bill received from Lebo regarding trailer rental. She was not sure what account she should pay it out of. Since it was for storage of materials from the old school she was told to take it out of the Park & Rec. The total of the bill is \$8,230.00. The bill was for 131 months, moving the trailer in, moving it out and for damage to the trailer. The Solicitor questioned the length of time to bill for the trailer, he stated that the statute of limitations is four years. Vice Chairman Sheaffer made a motion to have the Solicitor negotiate with the trailer people. Chairman Martin seconded the motion. Motion approved.

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

SUPERVISORS' REPORTS

Supervisor Tritt reported that he attended the workshop and was out with the road crew doing paving and shoulder work a couple of times.

Vice Chairman Sheaffer reported that he attended the workshop, the Planning Commission meeting and Scout activities.

Chairman Martin stated he was at Beetem Hollow Road for a meeting with DEP, Trout Unlimited and the Conservation District. He attended two COG meetings, Ag Preservation, the workshop, the Planning Commission meeting, met with Dr. Chris Mayer of Wilson College and her class on Watershed Stewardship and discussed injection wells at the

Penn Commerce Center site, and attended a Cumberland County Conservation training session on grant writing and met with Buck Shuller several times on that.

BREAK FOR EXECUTIVE SESSION

RECONVENE

The Solicitor stated that the Executive Session was to discuss legal matters and will be continued on June 20 at 10:00 AM at his office. Vice Chairman Sheaffer made a motion to continue the Executive Session on June 20 at the Solicitor's office. Supervisor Tritt seconded the motion. Motion approved.

Vice Chairman Sheaffer made a motion to adjourn the business meeting but continue the Executive Session. Supervisor Tritt seconded the motion. Motion approved.

NEXT REGULAR MEETING JULY 12, 2018

Respectfully submitted,

Vicki Knepp
Secretary