

PENN TOWNSHIP BOARD OF SUPERVISORS
1301 Centerville Road
Newville, PA 17241
Tel: 717-486-3104 Fax: 717-486-3522
Regular Meeting
August 9, 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

Vice Chairman Sheaffer made a motion to approve the minutes from the July 12, 2018 Regular Meeting. Supervisor Tritt seconded the motion. Motion approved.

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

APPROVAL OF SUBDIVISION PLANS

Stambaugh Subdivision Plans – Josh Mell was present representing the Stambaughs. They wish to subdivide 7 acres off of tax parcel 31-10-0620-046, the portion excluded from Ag Preservation. Chairman Martin stated that the plan has been reviewed by the Ag Preservation Board and approved by them. Mr. Mell said that all the Engineer comments have been addressed. The Township Planning Commission has recommended approval. The Solicitor stated that the Stambaughs' have several outstanding fines, plus the engineering fees for review of this subdivision plan and we will need something in writing saying they will be paid at settlement. He gave Mr. Mell a copy of the accounting. Chris Bream questioned the legality of the Township doing this. It was explained to him that it was the recourse the Township has to get paid. Vice Chairman Sheaffer made a motion to approve the Stambaugh Subdivision with the condition that the Township be paid for outstanding fines and fees. Supervisor Tritt seconded the motion. Motion approved.

Ridge Development – Charles Suhr was present representing Ridge Development on the Ridge Development Plans for 1899 Walnut Bottom Road. He wanted to give an update on the status of the development. Closing is set for August 22, 2018. He will have a set of signed plans to the Township early the week of August 13 for signatures. Checks will be

delivered to the Township Solicitor the day before closing on August 21. The following items will be delivered: Construction Bond \$11,180,000.00; Park & Rec Fee \$150,000.00; Fire Company \$150,000.00; Escrow for inspections \$100,000.00; Well owners' compensation \$20,000.00; and Stormwater operations and maintenance fund \$30,000.00 for a total of \$450,000.00. At a later date there are also two payments of \$75,000.00 for each building permit when applied for, payments for the traffic signal ongoing maintenance of \$8,000.00 a year for 10 years, the .04 sq. ft. building contribution for 12 years. The total fees over 12 years are approximately 1.3 million. The Development & Financial Security Agreement and the Stormwater O & M Agreements have been signed, an exhibit in the Stormwater Agreement needs to be changed to reflect the current stormwater management agreement. The NPDES permit was approved by DEP in July. Mr. Suhr stated he will pick up the signed plans and record them.

UNFINISHED BUSINESS

Trash – The Secretary reported that Kathie is only back part time in Southampton. She hopes to have a delinquent list soon. She reported that there is a meeting between Advanced Waste and Southampton Supervisors on the service issues we have been having recently. The Secretary stated that Southampton has requested that we send them a formal letter addressing our complaints. The Secretary drafted a letter and asked the Supervisors for their thoughts. Chairman Martin requested that we have all three supervisors sign the letter.

Septic – The Secretary reported that 118 of the 380 systems to be pumped in 2018 are done. There are still three systems that were due in 2017 that are either not pumped or need to provide proof of pumping. The Solicitor stated he is sending one more letter then he would like permission to file. Vice Chairman Sheaffer made a motion to authorize the Solicitor to file if they do not respond to his final letter. Supervisor Tritt seconded the motion. Motion approved.

Animal Ordinance – Chairman Martin stated that this ordinance is for the Conservation and Residential Zoning Districts only. This is to protect neighbors. Vice Chairman Sheaffer made a motion to authorize the solicitor to advertise the Animal Ordinance. Supervisor Tritt seconded the motion. Motion approved.

Trailer Rental Invoice – The Solicitor submitted a copy of the invoice he sent to the owner of the trailer the Township rented. The bill was for 10 years, 11 months of rental. He recommends that the Township pay the trailer rental of \$2,880.00; the move in/out fee of \$120.00 and the trailer damage of \$250.00 for a total of \$3,250.00. He will let the Township know what response he receives to the letter.

Stormwater Issues Kutz Road – Vice Chairman Sheaffer reported that he visited the property multiple times and Mr. Foster was not there. He stated that he saw that the property was regraded and draining into the retention pond now and he is satisfied. Mr. Foster stated that the Township should have come out and talk to him instead of sending letters and file against him. The Solicitor stated the Township sent a letter along with a copy of our Engineer's report explaining what needed to be done in March. In May the Engineer said nothing had been done so the Solicitor was authorized to file. The Solicitor stated that he will write a letter to Mr. Foster's attorney that the Township will withdraw

the case if Mr. Foster just reimburses the filing fee. Vice Chairman Sheaffer made a motion to withdraw the complaint. Supervisor Tritt seconded the motion. Motion approved.

Park & Rec – Chairman Martin reported that we have three or four applications for the Park & Rec. Chairman Martin made a motion to have the Solicitor prepare a Resolution for the next meeting to reestablish a five-member Park & Rec Committee. Vice Chairman Sheaffer seconded the motion. Motion approved.

NEW BUSINESS

Dental Insurance – The Secretary reported she had a request to see if PSATS offered Dental Insurance. They do. She has asked the road crew if they would be interested in dental insurance, at their expense. She has not gotten a response yet. Chairman Martin made a motion to table the insurance until the Secretary hears back from the road crew. Vice Chairman Sheaffer seconded the motion. Motion approved.

Draft Letter in Opposition to Statewide Collection of EIT – We received an email from Susan Pinti of Cumberland Tax Bureau with a draft letter attached opposing the State collecting earned income tax and then distributing it to the municipalities. The letter was written by the Tax Bureau, Cumberland Valley School District, Hampden Township, Lower Allen township and Upper Allen Township. The Secretary reported that we are currently paying .01 on the dollar, which will probably increase. Chairman Martin stated he believed it would create delays in receiving our money. Chairman Martin made a motion to approve the letter. Vice Chairman Sheaffer seconded the motion. Motion approved.

DJ Office – Chairman Martin stated that the concrete pad at the DJ office froze underground last winter and raised up. It was ground down, and now it has dropped back down allowing insects into the building. He said we need to replace the pad, our people do not have the time or expertise to do it properly so we need to get someone in to take care of it. Vice Chairman Sheaffer made a motion to authorize replacing the concrete pad at the DJ's office. Supervisor Tritt seconded the motion. Motion approved.

Bid Opening – The Secretary reported that she has finally received all the information she needs to prepare the ads for paving Beetem Hollow Road north and the walking trail. She asked when the Supervisors would like to open the bids. She suggested August 30 at 1:00 PM.

Household Hazardous Waste Disposal – Chairman Martin reported that the County is having a Household Hazardous Waste cleanup on August 18 from 9:00 AM – 3:00 PM at the Allen Road facility.

CORRESPONDENCE

Borough of Shippensburg – The Secretary reported that we received a letter from the Borough of Shippensburg requesting the Fire Police for the following dates:

- Shippensburg Corn Festival – August 25, 2018 2:00 AM to 8:00 PM
- Veterans Day Parade – November 11, 2018 12:30 PM to 2:45 PM
- Halloween Parade – October 20, 2018 6:00 PM – 9:00 PM
- Christmas /Holiday Parade – November 16, 2018 6:00 PM – 9:00 PM

- Drop the Anchor- December 31, 2018 – January 1, 2019 6:00 PM – 1:30 AM

Supervisor Tritt made a motion to approve the request of the Borough of Shippensburg for Special Fire Police. Vice Chairman Sheaffer seconded the motion. Motion approved.

PROJECT UPDATES

The Secretary reported that the road crew finished reconditioning, widening and repairing Quarry Hill Road. They did some preliminary work back on Beetem Hollow today, they will be starting the project on Monday, weather permitting. They plan to mow one more time before Labor Day.

Chairman Martin reported that the Fish Hatchery has closed Lebo Road, it is to be reopened before school starts. The Secretary stated that the Roadmaster does not believe they are going to finish before school starts. They have run into issues and he does not think they will be finished before September 6 at the earliest.

ZONING CODES ENFORCEMENT

Mr. Knepp reported that the halyard for the State flag broke some time ago and now the halyard for the American flag has broken. We have the parts to repair, but due to all the rain the yard is too soft to put the bucket truck up. When it dries out they will be repaired.

The backup generator was serviced this week.

2597 Walnut Bottom Road -Mr. Knepp reported that he has received another complaint about the property from the same person. So far only one complaint has been valid, parking obstructing the sight line to pull out, that has been corrected. The complaint this time is about the wood to be split and the cages to hold firewood. The wood is for the tenant to burn for heat. Supervisor Tritt made a motion that we stop responding to complaints from Joan Fordham about 2597 Walnut Bottom Road. Vice Chairman Sheaffer seconded the motion. Motion approved. Mr. Knepp was directed to send a letter or email to Ms. Fordham telling her that as long as he keeps the sight lines for the road clear we have no issues with the property and that we see no violations there.

126 South Side Drive – Mr. Knepp says that he received a complaint that the trash is drawing rats, vermin, copperheads and it has been going on since last year. There is a roll off dumpster on the property overflowing with bags of trash with weeds and junk sitting around. It is a rental property. Trash service was suspended for non-payment and a bounced check. Mr. Knepp stated he sent the property owners a notice of violation for the trash and not have trash service or filling for an exemption. He gave them two weeks and has had no response, nothing has changed. He has since issued two citations and after a week having heard nothing he sent out two more citations. The situation still has not been corrected.

At the request of the Fire Marshal he posted a property on Cornman Road as a “No Entry” structure for emergency personnel.

58 Irish Gap Road – Mr. Knepp stated that he received a complaint about accumulated junk, appliances, weeds, etc. and sent them a notice of violation.

Mr. Knepp stated he had ten permit applications for the month and five complaints.

91 Station Road – Mr. Knepp said that he received a call from Matt Stough at the County Conservation District regarding the new farm being built at 91 Station Road. They have disturbed more than an acre of earth and need an NPDES permit. Our permit includes only the farmhouse and horse barn. He has built a milk house and two silos. We have added the silos to our existing permit. He also wants to build a heifer barn and machine shed. Mr. Knepp says that Mr. Stough has told him we can issue no new permits until Mr. Reiff has gotten an NPDES permit.

SOLICITOR REPORT

FPE Engineering -The Solicitor stated that the mediation was postponed to August 30, 2018 at 10:30.

The Solicitor stated that he has sent a letter to the LeDane Estate indicating that they have paid in full.

The Solicitor stated that there is restitution money to go to Randy Heishman. The Secretary asked if she should keep the Ridge escrow account open after settlement to continue paying the ARM bills for the well testing. The Solicitor stated he thought that would be the best way and he will notify Ridge.

OTHER REPORTS

COG – No meeting in August

Agricultural Preservation – Postponed until August 22.

Fire Marshal – No report

Road Master – Mr. Knepp said that in his travels around the Township he has noticed the pipe under Church Road at the Walnut Bottom Road end is collapsing. He notified the Roadmaster who contacted the State, because it is in their right of way and their ditch. The State said it is not theirs but they will give us the pipe if we want to fix it. Chairman Martin said he will contact Mr. Tallman about it.

Newsletter – Secretary stated she has been working on the County Convention Program. The next newsletter should go out in October.

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 said he went with the Roadmaster to Stambaugh's property to see about cutting the weeds, they decided to let the people holding the sale take care of it; attended the Planning Commission meeting; attended a class on Poison Hemlock and spotted lantern fly; met with the Roadmaster and County Conservation on the Beetem Hollow Road project; went with the Roadmaster to look at flooding; and looked at road projects with Chairman Martin and the Roadmaster. He also worked with the road crew a few days.

Vice Chairman Sheaffer said he attended the Planning Commission Meeting; went to Foster's Welding three times; signed checks; attended the fire company meeting; and 60 plus hours at Kiddie Land. Vice Chairman Sheaffer was asked if the Township paid him for being at the Fair. Chairman Martin explained that all three Supervisors spent a lot of time working at the Fair as volunteers, they do not get paid for that.

The Supervisors were asked why they approve Fire Police activities. The Secretary said the State requires the Township to provide workers' comp insurance for the fire company. Chairman Martin said that it is an insurance company requirement that we must approve all activities other than emergencies to cover them for workers' comp.

Chairman Martin stated he attended the Planning Commission Meeting; he helped at the Fair; he had a lot of calls and emails over the weeks; and he has met with the Roadmaster several times during the month. He thanked Vice Chairman Sheaffer and Supervisor Tritt for all the time they put in to help the fire company.

BREAK FOR EXECUTIVE SESSION

RECONVENE

The Solicitor stated that the Executive Session was to discuss a potential legal matter. No decisions were made.

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

NEXT REGULAR MEETING SEPTEMBER 13, 2018

Respectfully submitted,

Vicki Knepp
Secretary