

**PENN TOWNSHIP BOARD OF SUPERVISORS**  
**1301 Centerville Road**  
**Newville, PA 17241**  
**Tel: 717-486-3104 Fax: 717-486-3522**  
**Regular Meeting**  
**September 13, 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 August 9, 2018 Regular Meeting. Supervisor Tritt seconded the motion. Motion approved.

Vice Chairman Sheaffer made a motion to approve the minutes from the August 16, 2018 Workshop. Supervisor Tritt seconded the motion. Motion approved.

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

**APPROVAL OF SUBDIVISION PLANS**

Barrick Subdivision Plan – the Secretary report that Mike Wadel had a conflict and could not be here. The plans have been resubmitted with the requested changes. The Township Engineer has reviewed them and said it looks good. The Ag Preservation Board has approved their part of it. Planning Commission has recommended approval. Supervisor Tritt made a motion to approve. Vice Chairman Sheaffer seconded the motion. Motion approved.

Septic Waiver 1031 Centerville Road – Representative from Burget Associates was present. The Secretary stated that the waiver is for 2'. The Solicitor stated we need to put a hold harmless from responsibility for any well pollution in the approval. Vice Chairman Sheaffer made a motion to approve the waiver pending the hold harmless. Supervisor Tritt seconded the motion. Motion approved.

**BREAK FOR GETTLE CONDITIONAL USE HEARING**

## **RECONVENE**

### **UNFINISHED BUSINESS**

Trash – The Secretary reported that she stopped service to two delinquent trash accounts this quarter. Chairman Martin said Advanced Disposal does not pick up appliances anymore. Southampton has a guy who will pick them up and scrap them out. If you have an appliance to dispose of you still call the same number for bulk pick up.

Septic – The Secretary reported that for 2018, 137 of the 380 systems due to be pumped are done. For 2017 we still have the same three hold outs.

Bids for Beetem Hollow North – The Secretary reported that she advertised for the equipment rental to pave Beetem Hollow North and the walking trail at Centerville Park. The bids were opened on August 30 by Supervisor Tritt, she was also in attendance at the opening. She asked the Board to ratify the bids for Beetem Hollow North and the walking trail. She reported that only one bid was received for each, the only bidder was Schlusser Paving. The materials for paving will be purchased through our COG bid. The Bid for Beetem Hollow was \$23,880.00. Vice Chairman Sheaffer made a motion to accept the bid from Schlusser Paving for equipment rental to pave Beetem Hollow North. Chairman Martin seconded the motion. Motion approved. The bid for the walking trail was \$6,420.00. These materials will be purchased through COSTARS. Vice Chairman Sheaffer made a motion to accept the bid from Schlusser Paving for equipment rental to pave the Centerville Park walking trail. Supervisor Tritt seconded the motion. Motion approved.

Animal Ordinance – The Solicitor stated “Now is the time and place for the public hearing on the Animal Ordinance.” It has been advertised. The Ordinance is for non-ag areas, Residential and Conservation Districts. We are trying to lessen the impact on neighbors and the general public. He asked for comment from the public.

Mike Kutz, 50 Cornman Drive – Said he sent people in for copies and they could not get them. The Secretary said they were available for review here. She set people up in the meeting room with a copy and gave them materials to take notes or they took pictures with their phones. Chairman Martin said we do not want to distribute ordinances or any document that has not passed because it could change by the time it gets approved.

Emilee Snyder, 201 Leeds Road – Requested to see a copy of the Ordinance. She was told it was the same one we have been working on for two years. She objected to the requirement of Conditional Use for animals, she believes it is not necessary. Chairman Martin explained we have had instances where people have not understood how to raise animals and they got out and damaged neighbor properties multiple times. We have no recourse if we do not have an ordinance. She objected to having her property posted to have a hearing, their name advertised and certified letters sent out. Solicitor McKnight said you can't have regulations for some people and not everyone else. Vice Chairman Sheaffer recounted an experience that was had in Huntsdale with pigs and the residents had no recourse because we did not have an ordinance at that time.

Cathy Cornman, 920 Centerville Road – Ms. Cornman said you can have 1,000 lbs. of animals without a hearing, why can't you just ad more animals. It was explained that you must have a conditional use to apply for that 1,000 lb. in Conservation and Residential

Districts. Ms. Snyder listed the animals she wanted in her hearing and that was in the conditions that were set. In order to change the conditions, it would require a new hearing. Chairman Martin stated that it does not say it allows a 1,000 lb. on your property. That is the definition of an animal equivalent unit. Vice Chairman Sheaffer stated that there newer laws on the books for animal protection. Much of this comes from the County Conservation District.

Janet Kutz, 871 Mt. Rock Road – She said that the Township should have worked with Ms. Snyder. It was explained that Mr. Knepp and Chairman Martin sat down with Kyle Snyder and worked out an agreement on what animals they had and what they would like to have. Mr. Snyder signed the agreement. Then Ms. Snyder added a donkey. Ms. Snyder stated that the conditional use is a joke. Chairman Martin stated her opinion is noted.

Chairman Martin suggested we exempt fowl and small animals in the Conservation District since these are larger lots. Vice Chairman stated that roosters should not be allowed, the noise causes issues for the neighbors.

Mindy Holtry, 2290 Pine Road – Ms. Holtry said she is concerned that people who are not hooked to the internet do not get information. She heard rumors that she needed to be here, we need a better way to get the information out.

Chairman Martin stated he is upset with the untrue rumors and distorted facts that have been spread. This ordinance is not to punish anyone or prevent them from having animals. It is to protect neighbors.

Linda Mowery, 1582 Walnut Bottom Road - Ms. Mowery asked if it was domestic animals or if it refers to all animals, specifically dogs and cats. Vice Chairman Sheaffer explained that it did not include dogs and cats, it deals with livestock. Ms. Cornman asked about exotic animals. Ms. Snyder wanted to know who did the zoning and how they decided what is what. She asked about rezoning her property and it was explained that it would be spot zoning, which is illegal. The State controls that.

Chairman Martin said he would like to amend the Ordinance to remove fowl and small animals from the Conservation District, but add roosters to it and to exclude pets. Vice Chairman Sheaffer made a motion to adopt the Animal Ordinance with amendments. Supervisor Tritt seconded the motion. Motion approved.

Trailer Rental Invoice – Solicitor McKnight said the invoice is still under discussion. Chris Bream, 17 Hosfeld Road, said the Township should pay the bill. Supervisor Tritt made a motion to pay the bill in full. Vice Chairman Sheaffer seconded the motion. Motion approved.

There was a lengthy discussion by members of the public regarding posting proposed ordinance hearing and agendas on the internet and facebook. It was explained that we have no choice, the State requires us to advertise in a newspaper. Chairman Martin said we will look into it.

Establish Park & Rec Committee and Appoint Members – Chairman Martin said we have four applicants for the Park & Rec Committee: Buck Shuller; Patricia Weidman; David Yoder; and Carrie Collins. Chairman Martin has an organization meeting scheduled for

Wednesday, September 26, the Secretary was instructed to advertise the meeting. Vice Chairman Sheaffer made a motion to appoint the four applicants for the Park & Rec Committee. Supervisor Tritt seconded the motion.

## **NEW BUSINESS**

Joe Ferrante Planning Commission Voting Alternate – Chairman Martin made a motion to appoint Joseph Ferrante as a Voting Alternate to the Planning Commission. Vice Chairman Sheaffer seconded the motion. Motion approved with two affirmatives, Supervisor Tritt abstained from voting.

Resignation of Martha Sheaffer – Ms. Sheaffer submitted her resignation as Treasurer effective December 27, 2018. Chairman Martin suggested that we accept her resignation at the December meeting. Chairman Martin made a motion to advertise the position of Treasurer. Vice Chairman Sheaffer seconded the motion. Motion approved.

WCCOG – Chairman Martin stated that the COG has approved a two-year extension of MDIA's fee schedule with no increase. They are getting another inspector to assist Paul Rampulla.

Budget Workshop - A date of October 1, 2018 at 7:00 PM was set for the budget workshop. The workshop will be held at the Township building. Supervisor Tritt made a motion to have the budget workshop on October 1, 2018 at 7:00 PM and have the Secretary advertise it. Vice Chairman Sheaffer seconded the motion. Motion approved.

Trick or Treat – The Secretary reported that the Borough of Newville is having Trick or Treat on Wednesday, October 31 from 6:00 – 8:00 PM and the Halloween Parade will be on Monday, October 29, 2018. The Secretary stated that we normally have our Trick or Treat the same night. Chairman Martin made a motion to set Trick or Treat for Wednesday, October 31, 2018 from 6:00 – 8:00 PM. Vice Chairman Sheaffer seconded the motion. Motion approved.

## **CORRESPONDENCE**

None

## **PROJECT UPDATES**

Lebo Road- Mr. Knepp said he spoke with the foreman earlier in the day. He said they estimate 3 more weeks, unless something goes wrong.

DJ Office Repairs – Chairman Martin explained that over the winter the concrete pad in front of the doors froze and rose, blocking the doors. County ground them down and they sank down in the spring. Now bugs go under the door. He has contacted a concrete contractor take them out and fix them properly. The cost is approximately \$1,620.00.

Chairman Martin will be out of town so the workshop for September 20 was cancelled.

## **ZONING CODES ENFORCEMENT**

126 South Side Drive – Mr. Knepp reported that the issue with the weeds, trash, the dumpster and garbage at 126 South Side Drive has been taken care of. The majority of the fines for the citations have been paid. He is satisfied with what has been done.

58 Irish Gap – The property is in violation of the Nuisance Ordinance; a Notice of Violation was sent and when that was ignored he posted a citation on the property. Nothing has been done yet. He would like to go straight to the Magistrate and file a Non-Traffic Citation.

Tires on Church Road – Waiting on dates when the trailer can be dropped he will make arrangements to get manual labor in to help clean up the tires.

Mr. Knepp said he issued 5 permits for the month. He did not receive any official complaints.

91 Station Road – Mr. Knepp said we are waiting to hear back from County Conservation on the NPDES permit.

Mike Kutz, 50 Cornman Drive asked who decided to place the “Do Not Enter” on the property on Cornman Drive. Mr. Knepp said that he and the Fire Marshall made the decision. Mr. Kutz said that as an EMT under the HIPPA law he cannot report anything like that to anybody. Mr. Knepp said he did not report it to anybody. He saw it. Chairman Martin stated he is not reporting anything on the resident’s medical condition. He is indicating that there is a dangerous condition for firefighters who would be responding to an emergency. Chris Bream stated that he believes the Township could face legal repercussions for doing this. He was told that we are not the only municipality that does this.

## **SOLICITOR REPORT**

The Solicitor said the Foster complaint has been withdrawn.

FPE Mediation – The mediation went on as scheduled. It is still ongoing. The Mediator is still working on the matter.

We got the money owed by Stambaugh for fines and judgements.

## **OTHER REPORTS**

COG – The Western Cumberland Outreach is October 17 at 11:30 at Southampton Township. We applied for grant money to revise our ordinances through the County. We should know by the end of the month if we will be receiving any funds. Training on Historic Development of Cumberland County will be held on September 27 and on the environment, which is a discussion on the economic impact of open space on the County on October 2. As of August 29, recycling has collected 524,565 lbs. The Household Hazardous Waste collection took in 121,542 lbs.

Agricultural Preservation – Chairman Martin said they have 13 farms moving forward, for a total of 958 acres. One farm decided to decline for the time being.

Fire Marshal – No report

Road Master – Supervisor Tritt said the road crew has been boom mowing and will finish up next week. Schlusser Paving is paving Beetem Hollow Road north between Pine and South Side. We have to finish the County project on Beetem Hollow Road south. They are putting in 320' of curbing on Smith Road and plan to replace a tile on Kutz Road.

Newsletter – The Secretary said she is working on it and hopes to have it to the printer soon.

### **APPROVAL OF BILLS LISTING**

Vice Chairman Sheaffer made a motion to pay the bills. Supervisor Tritt seconded the motion. Motion approved. Treasurer Sheaffer asked what type of accounts would the supervisors like her to deposit the checks we received from Ridge into. That would be the Escrow fees for the Stormwater, Park & Rec monies, the construction escrow. The money for the stormwater will be around for years so that should be an interest-bearing account. How should she distribute the Park & Rec fee? Chairman Martin said we should earn interest until the Park & Rec is ready to use it. We should keep enough out to pay for the paving of the walking trail. It was suggested that we talk to the Committee for their input.

### **SUPERVISORS' REPORTS**

Supervisor Tritt said he has been working with the road crew, he attended the supervisor workshop.

Vice Chairman Sheaffer said he attended the Planning Commission meeting, he spoke with Buck Shuller about the Park & Rec Committee, he interviewed the new Planning Commission member, the mediation meeting, signed checks and fire company and scout activities.

Chairman Martin said he attended the fire company meetings, the workshop, Planning Commission, Land Preservation, interviewed the new Planning Commission member, COG, and PennDOT Scope Meeting.

Chairman Martin explained about money the Township contributes to the fire company. He explained that the Township gives the fire company half of the Local Services Tax, we give them a donation every year and we give them a portion of the money we receive from the warehouses every year as part of their developer's agreements. He also explained that he gave them a check for \$150,000.00 that we negotiated for them in our talks with the new warehouse developer. He said the fire company will be expending a sizeable amount to purchase a mini-pumper and a mini-tanker and this money will help a great deal.

Mr. Galbraith asked what the trucks are doing on the Ickes property. Chairman Martin stated that they are pumping clean water into the wells prior to well testing. Mr. Galbraith asked about well testing for anyone else interested in having it done by the same

lab. Ms. Cornman asked what is going on on the Gettle property. Chairman Martin said it was going to be a smaller warehouse. A discussion was held about the zoning map on the website. The Secretary will check with County about a more up to date map. Ms. Cornman said the driveway is coming out up near her house. Chairman Martin said the main driveway cannot go in until the PennDOT shed is moved.

**BREAK FOR EXECUTIVE SESSION**

**RECONVENE**

Solicitor McKnight said no decisions were made, a building issue was discussed. Chairman Martin made a motion to authorize Dana Tech to upgrade the security system for \$600.00. Vice Chairman Sheaffer seconded the motion. Motion approved.

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

**NEXT REGULAR MEETING OCTOBER 11, 2018**

Respectfully submitted,

Vicki Knepp  
Secretary