

PENN TOWNSHIP BOARD OF SUPERVISORS
1301 Centerville Road
Newville, PA 17241
Tel: 717-486-3104 Fax: 717-486-3522
Regular Meeting
June 13, 2019

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

Those present: Chairman Gary Martin, Vice Chairman Ken Sheaffer, Supervisor Ronald Tritt, Solicitor Marcus McKnight, Treasurer Trina Manetta and Acting Secretary Tim Knepp.

PUBLIC COMMENT

Mike Kutz complained about the mud on Kutz Road. Supervisor Ron Tritt said he would see that it was taken care of.

APPROVAL OF MINUTES

Motion to approve minutes from the regular meeting of May 9, 2019 by Supervisor Ken Sheaffer and second from Supervisor Ron Tritt to approve minutes, Motion approved.

Motion from Supervisor Ken Sheaffer to approve the minutes from the May 16, 2019 workshop and seconded by Supervisor Gary Martin. Motion approved.

Motion to approve Treasurer's report by Supervisor Ken Sheaffer with a second by Supervisor Ron Tritt. Motion approved.

APPROVAL OF SUBDIVISION PLANS

A public hearing for the re-zoning of 9 acres for the Exeter project was convened by Solicitor McKnight. He indicated that he had a court reported present (Amy R. Fritz). Solicitor McKnight explained what the request was for and where it was located. Attaching 9 acres of the Clelan property to the warehouse to be used as trailer parking. Plan was presented by Mr. Suhr, Tom Allman. No running trucks to use the area. The hearing had been advertised and the adjacent property had been posted. Report from Penn Township Planning Commission was received with them approving the request. It will go before the Cumberland County Planning Commission next week. Mike expressed comments from the Cumberland County Planning Commission and asked Mr. Suhr if they would accommodate into his plan. Mr. Suhr said they would. Supervisor Gary Martin said he spoke to Mr. Stoner of the Cumberland County Planning Commission and he reported he did not foresee any issues. Tom Allman said they have a tenant but at this time could not name them. Solicitor McKnight asked if this parking area could be seen from Centerville Road and the reply was that it could not but may be seen from Interstate 81. Mr. Suhr reported that this request had

the approval of the adjoining property owner, Clelan. Solicitor McKnight presented a proposed ordinance for this request and asked what number it would be. Acting Secretary replied that he did not know. Gary Cribs talked about noise. Chris Bream asked if the Township had received any money from this agreement. Solicitor McKnight said that was on the table. Solicitor asked the Board to act on the proposed ordinance. Supervisor Ken Sheaffer make a motion to approve with a second from Supervisor Ron Tritt. Motion carried. Supervisor's and the acting Secretary signed and sealed the ordinance.

UNFINISHED BUSINESS

Trash – Stopped service for three due to nonpayment. Restored service to two.

Septic – No report.

Charlie Suhr and Tom Allman presented a request for the rezoning of 9 acres adjacent to the Exeter warehouse and attach it to them for additional parking of trucks. They reported this would not be a holding area for running trucks. The request had been posted and advertised. Supervisor Ken Sheaffer made a motion to accept the request and forward it to Cumberland County and Penn Township Planning Commissions. Supervisor Ron Tritt seconded motion and it was approved. Paul Group asked for clarification on the location of this and after it was explained to him, he was satisfied.

Supervisor Gary Martin asked Charlie Suhr about the mound height and ground disturbed around the mailbox and pressure washing on the Lynn Gennsler property. Mr. Suhr assured the board that those issues would be addressed.

Supervisor Ken Sheaffer reported that he believes the sink hole from Unilever had been repaired. Wayne Stevenson requested it be checked on as he has seen trucks in the area.

NEW BUSINESS

A discussion was held regarding ownership of the two bridges on Sheaffer Road. Motion from Supervisor Gary Martin to table action. Second received from Supervisor Ron Tritt. Motion carried.

CORRESPONDENCE

Read hand written letter from Trent lauding the improvements recently made at the Centerville Park.

Read letter from Representative Torren Ecker giving contact information.

Letter received from Southampton Township informing us that they are requesting Cumberland County eliminate the \$5 tax for bridge repair. It was reported that this was to be discussed at the next WCCOG meeting.

PROJECT UPDATES

Ridge Development – Charles Suhr introduced Scott Bert, representing HRG, and Charles Wells, representing Ridge. Scott Bert presented a change to Lot 2. They are proposing moving the building 65' to permit additional trailer parking in the rear. This would reduce the amount of parking in the front. The guard shack will be moved back to permit more trucks so as not to back up traffic on Centerville Road. Made revisions proposed by two meetings of the Penn Township Planning Commission. Addressed the buffer saying that the berm has been raised 12" and added a 3rd row of trees, 75% to be evergreens. They added erosion control at the pipe outlet basin and into the level spreader 30' long then onto a 30' area. Presentation ended. Solicitor McKnight asked the Township engineer Paul Wilson if Ridge had complied with his recommendation's. Paul reported that they had. Solicitor McKnight asked how water during the construction phase will be handled from Lot 1. Paul posed that pumping to get around Barrick's property will be a temporary solution. Supervisor Ken Sheaffer asked of this would continue after the completion of the project? Scott reported that they will look at it in 6-12 months. Supervisor Ken Sheaffer talked about concerns and argued over "100-year storm" issues. Township Engineer Paul Wilson it is very difficult to plan for a "100-year storm". Supervisor Gary Martin said he thought Scott Bert said that the system as designed would work but in future could be re-visited. Charles Suhr said that their SWMP with DEP is under review every 5 years. Mr. Suhr said verbiage could be put in agreement to require both property owner's to re-visit in future of it becomes an issue. Solicitor McKnight asked if the owner's O&M agreement would require it to be re-visited if issues. Wayne Stevenson, speaking as a representative of the Township Planning Commission was concerned, if issue occur of less than one week, he wants action sooner. Supervisor Gary Martin reported Vic Barrick's farm is "preserved" and cannot have an easement but they can obtain one from Randy Heishman. Township Engineer Paul Wilson explained how the pumping works. Gary Cribbs asked if Ickes sells his property would an easement be needed. Mr. Suhr said he will discuss permanent easements with Ickes. David Barrick of 2661 Walnut Bottom Road asked when the injection wells will become operational. Answer was when the area is paved. Discussion regarding issues at 23 Gettle Road of a new well. Reported much top soil lost and the replacement soil was of bag quality. Mr. Suhr agreed to a new separate Storm Water Management Plan prior to final approval of the plan. He requested conditional plan approval prior to June 20th or they will lose their proposed tenant. Supervisor Ken Sheaffer said he has not heard anything that would permit him to approve it as yet. Solicitor McKnight said that they could defer to the scheduled workshop on June 20, 2019. Mr. Suhr again stated that if not received prior to the 20th they would lose their proposed tenant. Supervisor Ken Sheaffer asked for the opinion of the Solicitor. Solicitor McKnight said they would have to come up with a permanent pumping solution. Mike Kutz voiced an opinion that the temporary pumping should be made permanent. Supervisor Ken Sheaffer made a motion to allow pumping onto Gettle Road and adopt an easement if needed. Supervisor Ron Tritt seconded the motion. Motion carried. Mr. Suhr said Charles Wells would begin work on this at once but they are looking at all solutions and not limiting to pumping. Supervisor Gary Martin asked Lot 2 to have ponds in place prior to soil stripping. A letter was read from Randy Heishman and Supervisor Gary Martin reported he has met with Charles Wells and Randy and the issues have been satisfactorily resolved. Solicitor McKnight discussed the developer's agreement. Paragraph 3 mentioned that developer will

provide a security in the amount of \$4,050,000.00 to be used if the Township has to step in to finish the project. Also discussed how the funds were to be released. In Paragraphs 4-5-6 and 7. Paragraph 12 discusses what would occur if the developer should breach the agreement. Paragraph 13 established an escrow account in the amount of \$100,000.00 to cover needed inspections and how it would be replenished. Paragraph 14 states that .04 cents a square foot would be received for 12 years from the developer. Paragraph 15 would provide for \$125,000.00 to be paid to the Township for capitol improvements over 10 years and if not used the Township would pay back. Paragraph 16 A would provide the culvert under Gettle Road be moved. B. Increased landscaping for sound abatement and revisit in 1 year after the project becomes operational. C. Developer will install and maintain a traffic signal at the location. Paragraph 17 Developer's will pay the Township \$40,000.00 to be used for property owners that have issues with their wells or runoff. Solicitor McKnight asked the Supervisor's if this addresses their issues. He also asked the members of the Planning Commission that were present if this addressed their issues. Both indicated that it had. Solicitor asked that subject to the storm water issues, for a motion to approve Phase 2 as amended by himself on Friday the June 14, 2019. Supervisor Ron Tritt asked for changes to Paragraph 20 to require notification within 30 days. That will be changed. Supervisor Ron Tritt made a motion to approve the developer's agreement as changed. Supervisor Ken Sheaffer made a second. Motion carried. Solicitor McKnight indicated that he was having the hearing transcribed.

Gettle Property – No report.

Land Preservation Grant – No report.

Munilogic – Preparations continuing.

Tim Knepp reported to Supervisor's that there was an upcoming webinar covering restricting truck traffic and signage. This would be appropriate as we are discussing such restrictions.

Supervisor Gary Martin discussed the upcoming census and the updating of the FEMA flood map.

ZONING CODES ENFORCEMENT

Tim Knepp reported on a NOV he had written and presented to Ted Eshelman regarding occupation of a building that did not have a Certificate of Occupancy. Order to vacate at once or face fines.

Tim Knepp requested Supervisor's and Solicitor prepare a Zoning change to accommodate Tiny Homes and address living in accessory structures.

Tim Knepp reported that Mr. Mullen had submitted a report on his testing of his own septic system in lieu of a septic pumpers report. Supervisors indicated this is not permitted in the ordinance and possibly by DEP. Supervisor Gary Martin made a motion to direct Solicitor McKnight to send Mr. Mullens a letter indicating that his submission is not acceptable. Supervisor Ron Tritt made a second and the motion was approved.

SOLICITOR REPORT

FPE Engineering – It is ongoing and he has not been working on it lately due to work on the Storm Water Ordinance and the Ridge Phase 2 plan. He reports we are close to a new SWM plan.

OTHER REPORTS

COG – Supervisor Gary Martin reported that DEP is proposing new fees. They would go up a lot. Seems to just be a money maker for the state.

Wayne Stevenson reported that the Chesapeake Bay is increasing their payments.

Supervisor Gary Martin reported that the Newville Fountain Fest is being held this coming Saturday.

Supervisor Gary Martin reported that the area around the proposed casino has received interest from Starbucks, Duncan Donuts and a motel.

Supervisor Gary Martin reported that the Big Springs High School budget is increasing 2.5%. That is their max.

Agricultural Preservation – Supervisor Gary Martin reported that there is now 1,225 acres in 2019 with over 20,000 overall.

Road Master – Work on High Mountain Road. Mowing various roads. Installed a box culvert on Beetem Hollow Road. Blacktop on Smith road at the end of June. Spring cropped up on Smith road and we installed a box drain, culvert and blocks to control the flow of water. Bucket truck serviced with cost approx. \$3,000.00. Street sign installed on Sand Bank Road.

Fire Marshal – No report.

Newsletter – Mostly prepared with draft given to Supervisor Martin.

APPROVAL OF BILLS LISTING

Motion to approve paying the bills by Supervisor Ken Sheaffer with a second from Supervisor Ron Tritt. Motion approved.

SUPERVISORS' REPORTS

Supervisor Tritt- Met on Beetem Hollow Road on the 13th. Attended the Park and Recreation Board meeting. Attended the Workshop. Helped with the paving.

Vice Chairman Sheaffer –Attended the Planning Commission meeting, Township Workshop, Boy Scout meeting and Fire Company meeting.

Chairman Martin – Attended Fire Company meeting, WCCOG meeting, the Township Workshop, Planning Commission meeting, met with Vic Barrick on water issues, presentation of FEMA Flood Map, Met with Ridge developers and met with Randy Heishman on his water issues. Met with Land Preservation Committee. Reported that he is looking into a possibility of a grant to help fund renovations at Township building. Reported that the County is spraying for mosquitoes.

Motion to adjourn by Supervisor Ken Sheaffer with second by Supervisor Ron Tritt. Motion passed.

NEXT REGULAR MEETING JULY 11, 2019

Respectfully submitted,

Tim Knepp
Acting Secretary