

The Greene Township Board of Supervisors held a Public Hearing and Regular Meeting on Tuesday, April 13, 2021 at the Greene Township Municipal Building, 1145 Garver Lane, Chambersburg, PA 17202. (Note: Due to COVID-19, all persons maintained an additional distance during this meeting.)

Present: Todd E. Burns Kurt Williams
 Travis L. Brookens Gregory Lambert
 Daniel Bachman Lindsay Loney

Absent: Shawn Corwell

Visitors: See list

The Chairman called the meeting to order at 7:00 pm. He welcomed everyone and noted that the meeting is being recorded for accuracy purposes.

At this time, the Chairman opened the Public Hearing scheduled for this date, time and place to review and consider Greene Township Ordinance 2021-2, Chapter 105 Zoning Amendments. The Solicitor asked the Zoning Officer (ZO) to verify that the Public Hearing had been legally advertised; the ZO responded that it had been advertised in the Public Opinion on March 23 and 31. A copy of the proposed ordinance was given to the Public Opinion, Franklin County Law Library, Franklin County Planning Commission (FCPC) and placed for public view at the Township office. The ZO informed the Board that the Greene Township Planning Commission (GTPC) reviewed the proposed ordinance at their meeting held April 12th and had a few comments, but ultimately recommended adoption. The Solicitor explained that the purpose of the amendment is to add definitions, reclassify certain permitted uses as conditional uses, add additional uses in the Light Industrial (LI) and Heavy Industrial (HI) zones and add specific criteria for such conditional uses. The Solicitor noted that the original ordinance lacks critical definitions, specifically in the warehousing/logistics usage. Warehousing is almost always permitted where it is an accessory to an existing or new business for the use of storage. However, a warehouse structure greater than 100,000 square feet is regulated as a logistics/distribution center. The Solicitor reviewed the proposed ordinance, noting the following: section 1 adds definitions, section 2 adds criteria to be met for a conditional use, sections 3 and 4 “clean up” the Ordinance by deleting some uses that do not exist in the Ordinance, sections 5, 6 and 7 add and delete certain uses to the LI & HI zones as conditional uses, section 8 increases the maximum height allowed in the HI zone from 45 feet to 65 feet to keep pace with modern logistic facilities. The Solicitor noted that in brief, the proposed ordinance recognizes the distribution/logistics industry that is growing in this area. It allows for this industry in the LI & HI zones and provides specific criteria as to the conditional use of such businesses.

The ZO noted that the FCPC reviewed the proposed ordinance and had no comment. The GTPC conducted a thorough review and recommended adoption of the Ordinance but asked that the Board give consideration to the following comments: 1.) On page 2 – Should a CDL facility be given a separate consideration under the definition of school since they typically are a larger facility?, 2.) On page 3, #2 – Should an existing residential use be added to this section?, 3.) On page 3, #5 – The wording should read “separated by” not “set back”, 4.) On page 4, #11(d) – Should language be added that the “PPC Plan” needs to be updated on a regular basis so that the information remains current?

The Chairman asked the Solicitor if he had an opinion on the four comments made by the GTPC. The Solicitor responded that any of those changes would be considered substantial for the purposes of the MPC, which would require re-advertising and holding another Public Hearing. He noted that these “high intensity uses” are only taking place within the LI & HI zones. A school conducting CDL training would not be that incompatible with such uses. He also noted that in regards to page 3, #2 – an existing residence located in the LI or HI zones should already be expecting such uses to be there. The Solicitor agreed that “separated by” should probably replace “set back”, but it is probably not worth delaying the adoption of the Ordinance; the wording could be amended at a later date. The Solicitor noted that the GTPC’s recommendation for page 4, #11(d) is a good

suggestion and could be added to an amendment. In the meantime, if the Board is interested in maintaining a certain regularity of receiving a “PPC Plan” update, it could be made a requirement as part of a conditional use.

The Chairman concurred that these are good comments and could be added at a later date to an amendment, but are not significant enough to justify re-advertising and holding up the adoption of the Ordinance. Supervisor Brookens agreed and added that his concern with page 3, #2 would be an existing residence in a neighboring district and would be worth considering. There are LI districts that do adjoin R1 and R2 districts. The Township Engineer stated that he thinks the GTPC comments are important to consider, but he also agrees that it is necessary to get this Ordinance completed in a timely manner.

The Chairman closed the Public Hearing at approximately 7:20 pm and then convened the Regular Meeting by entertaining a motion to adopt Greene Township Ordinance 2021-2, Chapter 105 Zoning Amendments. On a motion by Travis L. Brookens, seconded by Todd E. Burns, and by a vote of 2-0, the Board unanimously voted to adopt Greene Township Ordinance 2021-2, Chapter 105 Zoning Amendments, as presented.

The Minutes of the Public Hearing and Regular Meeting held March 23, 2021 shall stand approved as presented and become part of the official record.

The Chairman opened the floor for public comment; none was offered.

The Chairman announced the opening of sealed bids for the 2021 Crushed Aggregate. Three bids were received, which the Chairman opened and read aloud. Pricing is as follows:

Item #	Bid Item	New Enterprise Stone & Lime Co., Inc. (Plant VAI28A14)			Pennsy Supply, Inc. (Plant PES21C14)			St. Thomas Development, Inc. (Plant STD28A14)		
		FOB Plant	Deliver Job Site	COSTARS (FOB Plant)	FOB Plant	Deliver Job Site	COSTARS (FOB Plant)	FOB Plant	Deliver Job Site	COSTARS (FOB Plant)
1	AASHTO #8 1/2” Clean (500 tons)	15.00	19.13	17.00	16.00	22.18	17.85	11.00	15.50	17.00
2	PA-2A Subbase (2,000 tons)	6.50	10.63	9.00	7.50	13.68	8.93	6.20	10.70	9.00
3	AASHTO #1 Penn 4” (200 tons)	12.50	16.63	13.90	13.75	19.93	14.18	9.60	14.10	13.25
4	R4 Rock Lining Rip Rap (200 tons)	15.25	20.38	14.65	18.15	24.33	16.80	12.50	18.00	16.00
5	AS2 or AS3 PennDOT Approved Anti-Skid (2,500 tons)	18.75 (AS2)	22.88 (AS2)	--	12.75 (AS3)	18.93 (AS3)	--	--	--	--
6	AASHTO #57 1 1/2” Clean (1,000 tons)	12.25	16.38	13.90	13.50	19.68	13.65	10.25	14.75	13.50
7	AASHTO #10 Stone Dust (500 tons)	10.25	14.38	12.60	8.00	14.18	10.50	8.00	12.50	11.75

Upon review of the bids, all documentation appeared to be in order and bid bonds were included with all bids. On a motion by Travis L. Brookens, seconded by Todd E. Burns, and by a vote of 2-0, the Board unanimously voted to award the 2021 Crushed Aggregate as follows: AASHTO #8, PA-2A Subbase, AASHTO #1, R4 Rock Lining, AASHTO #57 and AASHTO #10 to St. Thomas Development, Inc. and AS3 PennDot Approved Anti-Skid to Pennsy Supply, Inc. as submitted.

The Chairman announced the opening of sealed bids for the 2021 Bituminous Materials. Four bids were received, which the Chairman opened and read aloud. Pricing is as follows:

Item #	Bid Item	Hei-Way			New Enterprise Stone & Lime Co., Inc. (Plant VAI28A14)			Pennsy Supply, Inc (Plant PES21C14)			St. Thomas Development, Inc. (Plant STD28A14)			
		FOB Plant	Deliver Job Site	CO-STARS (FOB Plant)	FOB Plant	Deliver Job Site	CO-STARS (FOB Plant)	FOB Plant	Deliver Job Site	CO-STARS (FOB Plant)	FOB Plant	Deliver Job Site	CO-STARS (FOB Plant)	
1	Cold Mix (30 tons)	85.00	111.50 (23 ton min)	81.54	139.00	144.90	134.00	151.72		--	--	--	--	
2	9.5MM Superpave SRL = L or better ESAL = .3<3 (6,000 tons)	--	--	--	58.25	64.15	58.25	61.50	FOB Plant plus \$110/hr (2 hr min)	61.43	51.65		55.00	
3	19MM Superpave SRL = L or better ESAL = .3<3 (1,000 tons)	--	--	--	50.60	56.50	50.60	55.00		53.72	46.85	FOB Plant plus \$90/hr		51.00
4	25MM Superpave SRL = L or better ESAL = .3<3 (2,500 tons)	--	--	--	46.87	52.77	46.87	52.50		53.74	43.10			

Upon review of the bids, all documentation appeared to be in order and bid bonds were included with all bids. The Chairman recognized the low bid price for Cold Mix from Hei-Way and stated that he believes their product comes in 50 pound bags and can be purchased by the skid, which is probably the reason for the minimum delivery amount. After some discussion, it was determined that Hei-Way is located in the Pittsburgh area, which would make it cost prohibitive to drive there to pick up materials. The Chairman suggested that the Board do some research on the location and product provided by Hei-Way before awarding the Cold Mix contract. On a motion by Travis L. Brookens, seconded by Todd E. Burns, and by a vote of 2-0, the Board unanimously voted to award the 2021 Bituminous Materials as follows: 9.5MM Superpave, 19MM Superpave and 25MM Superpave to St. Thomas Development, Inc. as submitted.

The Chairman announced the opening of sealed bids for the 2021 Road Equipment Pricing. Only one bid was received, which the Chairman opened and read aloud. Pricing is as follows:

			Schlusser's Paving, Inc.	
Item #	Bid Item	Estimated Hours of Use	Hourly Bid Rate (Prevailing Wage)	Hourly Bid Rate (Non-Prevailing Wage)
1	Paver equivalent to 150 Blaw Knox, capable of paving 12' minimum per pass, with operator	100 +/-	150.00	150.00
2	Roller (10 ton or greater) and operator	100 +/-	105.00	80.00
3	Tack Oil Truck and operator	100 +/-	80.00	80.00
4	Milling Machine – 4' minimum, self-loader and operator	100 +/-	350.00	350.00
5	One (1) Triaxle Dump Truck and operator	100 +/-	100.00	85.00
6	Milling Machine – 6' minimum, self-loader and operator	100 +/-	400.00	400.00

Upon review of the bid, all documentation appeared to be in order and a bid bond was included with the bid. On a motion by Travis L. Brookens, seconded by Todd E. Burns, and by a vote of 2-0, the Board unanimously voted to award the 2021 Road Equipment Pricing to Schlusser's Paving, Inc. as submitted.

The Chairman announced that he would like to advertise for receipt of sealed bids for Cold in Place Recycling (CIPR) on Stillhouse Hollow Road and Mountain Shadow Drive. The Township Engineer stated that after reviewing roads that need done, it was determined that Stillhouse Hollow Road needs to be done from White Church Road to the end and Mountain Shadow Drive needs to be done from Shearer Road to the end. The Chairman noted that the core samples should be done next week. On a motion by Travis L. Brookens, seconded by Todd E. Burns, and by a vote of 2-0, the Board unanimously voted to authorize advertisement of the receipt of sealed bids for the 2021 Cold in Place Recycling on Stillhouse Hollow Road and Mountain Shadow Drive; sealed bids are to be received at the Township Office, 1145 Garver Lane Chambersburg PA 17202, no later than Monday, May 24, 2021 at 3:00 pm, Eastern Prevailing Time and to be opened at the Regular Meeting held on Tuesday, May 25, 2021 at Noon, Eastern Prevailing Time.

Supervisor Brookens informed the Board that the consultant for the tennis and pickle ball courts project has put together a timeline and would like bids to be opened at the first meeting in May. The bids would be opened on May 11th, reviewed and most likely awarded at the May 25th meeting. On a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 2-0, the Board unanimously voted to authorize advertisement of the receipt of sealed bids for the Greene Township Park Tennis and Pickle Ball Courts Project; sealed bids are to be received at the Township Office, 1145 Garver Lane Chambersburg PA 17202, no later than Tuesday, May 11, 2021 at 3:00 pm, Eastern Prevailing Time and to be opened at the Regular Meeting held that evening at 7:00 pm, Eastern Prevailing Time.

The Chairman presented a proposal from ECS Mid-Atlantic, LLC for two culvert replacements on Woodstock Road. He explained that there are two corrugated metal pipes on Woodstock Road in the Cook Road proximity that were replaced in 2005 or 2006 and the bottoms have completely rusted out. As part of the project, a GP-11 permit will need to be obtained. The estimated proposal amount is \$54,100.00 and includes mapping, a soft dig, structure design, permitting, and construction monitoring. The Chairman noted that the soft dig is important because there is a utility gas line located in the area. He further noted that he spoke with the Township Engineer and ECS regarding the structure design, and it is recommended to replace the pipes with a concrete structure rather than corrugated metal pipes, as it will last much longer. The Engineer concurred and stated that the concrete will also help with the drainage issues that have been occurring in the area. On a motion by Travis

L. Brookens, seconded by Todd E. Burns, and by a vote of 2-0, the Board unanimously voted to approve the proposal from ECS Mid-Atlantic, LLC for two culvert replacements on Woodstock Road in the amount of \$54,100.00.

The Chairman presented a request from the Fayetteville Volunteer Fire Department (FVFD) for a letter of acknowledgement from the Township for their annual Cash Bash event to be held on May 15, 2021. The event is to be held on their property (101 West Main Street, Fayetteville). Because they do not have a liquor license and are applying for a one-time license for the event, the Pennsylvania Liquor Control Board requires a letter from the Township acknowledging the event. On a motion by Travis L. Brookens, seconded by Todd E. Burns, and by a vote of 2-0, the Board unanimously voted to acknowledge the fundraising activities of Fayetteville Volunteer Fire Department on May 15, 2021 with the understanding that the Township has no sponsorship, liability or participation in said event.

The Chairman presented a transfer letter addressed to the PA Department of Environmental Protection (PA DEP) providing notice that the Township has transferred the RHC-5 Wildcat Trommel Screen to Forty Fort Borough in Luzerne County, PA. The Chairman explained that the Trommel Screen was purchased with grant funding from PA DEP and it has not been operable for a number of years. Supervisor Corwell contacted PA DEP about selling the equipment and was advised that the funds received would have to be returned to PA DEP and they actually prefer the Township to transfer the equipment to another municipality. Supervisor Corwell worked with PA DEP and on April 2, 2021, Forty Fort Borough picked up the Trommel Screen. As part of the transfer, PA DEP required a transfer letter. Due to the time sensitivity, Supervisor Corwell signed the letter on behalf of the Township, and the Board needs to ratify his signature. On a motion by Travis L. Brookens, seconded by Todd E. Burns, and by a vote of 2-0, the Board unanimously voted to acknowledge the transfer of the RHC-5 Wildcat Trommel Screen to Forty Fort Borough, Luzerne County, and ratify Supervisor Corwell's signature for the PA DEP transfer letter.

The Chairman presented the March 2021 Monthly Zoning Office Report, a copy of which each Board member received. There were no Zoning Hearing Board or Conditional Use Permit applications received during the month. There were 64 land use permits and 14 driveway permits received, for a total of \$11,792 in zoning fees. The Monthly Zoning Office Report for March 2021 shall stand approved as presented and become part of the official record.

The Solicitor reported that he is working on several items. He has verified that there will be council present for the workers' compensation telephone hearing on April 19th. He noted that he is still waiting on the Jaindl decision from Judge Myers. He also reported that he has been working with the Zoning Officer to get some abandoned vehicles in the Dan Ryan Development removed, and that has been done. The deadline for Roll-R-Way to appeal the Zoning Notice of Violation has come and gone and no Conditional Use Application has been received to date. Supervisor Brookens noted that an email from Roll-R-Way was received earlier this morning regarding a noise complaint that had been made against them.

On a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 2-0, the Board unanimously voted to authorize the payment of invoices as follows: check numbers 29434 through 29473 and six ACH transactions to be paid from the general fund, check numbers 3718 through 3721 from the liquid fuels fund, and check number 2230 and 2231 and one ACH transaction to be paid from the electric light fund.

The Chairman adjourned the meeting at 8:18 pm.

Respectfully submitted,

Secretary