

September 13, 2022
Chambersburg, PA 17202
Regular Meeting

The Greene Township Board of Supervisors held a Regular Meeting on Tuesday, September 13, 2022 at the Greene Township Municipal Building, 1145 Garver Lane, Chambersburg, PA 17202.

Present: Todd E. Burns	Gregory Lambert	Lindsay Loney
Travis L. Brookens	Dan Bachman	
Shawn M. Corwell	Kurt Williams	

Visitors: See list

The Chairman called the meeting to order at 7:00 pm, advised that the meeting will be recorded for accuracy purposes and visitors were asked to sign in.

At this time, the Chairman opened the Public Hearing scheduled for this date, time and place to review and consider Proposed Greene Township Ordinance 2022-4 to amend Chapter 105 to redefine the definition of convenience store. The Solicitor gave a brief description of the Ordinance and noted that the sole purpose is to redefine convenience store; no other changes are being made. The Solicitor explained that the principal change in the definition is to limit the size to 12,500 square feet, to authorize video gaming terminals (VGTs) as regulated by PA gaming control board and to authorize the sale of alcoholic beverages. Ms. Sarah Dotzel (Assistant General Counsel for Rutter's) thanked the Board for working with Rutter's on this. She acknowledged that Rutter's still has an appeal pending against the Zoning Hearing Board with regard to their decision about VGTs, but they plan to withdraw that appeal 30 days after the adoption of a new Zoning Ordinance. The Solicitor noted that the 30-day delay is reasonable, as it would cover the period for appeals of the Ordinance. He added that this definition change would not only apply to Rutter's but to any other convenience store within the Township. Ms. Dotzel added that aside from the Zoning Ordinance, there are some high barriers that hold other competitors back from bringing in VGTs, so this definition change would not create a large influx of VGTs within the Township, if that were a concern. Supervisor Corwell asked what stipulations are in place for consuming alcohol on premises. Ms. Dotzel responded that is inherent in the type of license Rutter's is required to have. The PA Liquor Code is complex; even though Rutter's is a convenience store, they are required to have a restaurant liquor license to sell alcohol, which permits consumption on premises. She noted that Rutter's does have strict house rules in place regarding how many drinks can be consumed on premises. The Zoning Officer (ZO) reviewed the advertising dates for the Public Hearing as well as confirmed that all required agencies were provided a copy of the Proposed Ordinance.

The Chairman closed the Public Hearing at approximately 7:11 pm and then convened the Regular Meeting by entertaining a motion to adopt Greene Township Ordinance 2022-4. On a motion by Shawn M. Corwell, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted to adopt Greene Township Ordinance 2022-4, Chapter 105 Amendment to change the definition of convenience store, as presented.

The Minutes of the Regular Meeting held August 23, 2022 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 acknowledged some students from the Career Magnet School were present in the audience. He welcomed them and encouraged them to ask questions throughout the meeting or speak to the Board at the end.

The Chairman announced the opening of sealed bids for the 2022 Striping and Marking. One bid was received, which the Chairman opened and read aloud. Pricing is as follows:

		Alpha Space Control Co., Inc.	
Description	Approx Qty	Unit Price (\$)	Total (\$)
Single Yellow Line	7,796 ft	0.09	701.64
Double Yellow Line	611,426 ft	0.18	110,056.68
Edge Line	560,063 ft	0.09	50,405.67
24" White (Stop Bars & Crosswalks)	1,308 lf	3.00	3,924.00
24" Gore Bar(s) Yellow	823 lf	3.00	2,469.00
6" Single White Line Crosswalks	3,038 lf	2.35	7,139.30
12" White Line Crosswalks	210 lf	2.50	525.00
PennDOT Left Turn Arrow(s)	74 ea	60.00	4,440.00
PennDOT Right Turn Arrow(s)	23 ea	60.00	1,380.00
PennDOT Combo	16 ea	120.00	1,920.00
RxR Crossing w/3 transverse bars	15 ea	235.00	3,525.00
"997" Legend	2 ea	85.00	170.00
"NORTH" Legend	2 ea	110.00	220.00
TOTAL AMOUNT OF BID		\$ 186,876.29	

The Chairman and the Engineer both noted that the pricing is at least 30% more than prior years, probably due to the increase cost of paint. On a motion by Shawn M. Corwell, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted to award the sealed bid for the 2022 Striping and Marking to Alpha Space Control, Inc. at the quoted amount of \$186,876.29.

The Chairman announced the opening of sealed bids received for the 2022 #2 Fuel Oil Contract. McCleary Oil Company is the sole bidder, with a bid price of \$4.29 per gallon. The bid is for 2,500 gallons of #2 fuel oil, escalator clause to be included. Following review and consideration, on a motion by Shawn M. Corwell, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted to award the 2022 #2 Fuel Oil Contract to McCleary Oil Company at their quoted bid price of \$4.29 per gallon delivered.

The Chairman announced the opening of sealed bids received for the 2022 Ultra Low Sulphur Diesel Contract. McCleary Oil Company is the sole bidder, with a bid price of \$4.33 per gallon, escalator clause to be included. The bid is for 25,000 gallons delivered to either 1145 Garver Lane or the Fayetteville Volunteer Fire Department. Following review and consideration, on a motion by Shawn M. Corwell, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted to award the 2022 Ultra Low Sulphur Diesel Contract to McCleary Oil Company at their quoted bid price of \$4.33 per gallon delivered.

The Zoning Officer (ZO) presented the Monthly Zoning Report for August 2022 for informational purposes. The report shall stand approved as presented and become part of the official record. He noted that land use permits are down almost fifty permits from where they were last year at this time, most likely due to higher interest rates and the increased cost of building materials.

The ZO explained that a draft ordinance to amend zoning text regarding self-storage units and agricultural equipment sales and services was presented to the Greene Township Planning Commission last evening. They recommended a few changes. The ZO suggested that the Board review those items and have

the PC review the updated ordinance at their next meeting, which would be October 3. The Chairman agreed and no action was taken.

Supervisor Corwell explained that the Franklin Fire Company (FFC) has applied for a grant through County to purchase new portable radios, at a total cost of \$362,000. The radios they currently have are 15-20 years old. They are beginning to fail, and it is difficult to get parts for them. FFC requested a support letter from the Township to include with the grant application. The Chairman commented that he would be happy to provide the support letter. Following review and consideration, on a motion by Travis L. Brookens, seconded by Shawn M. Corwell, and by a vote of 3-0, the Board unanimously voted to approve the grant support letter for the Franklin Fire Company as presented.

The Chairman presented a grant application from the Scotland Youth Baseball League. They are requesting \$25,000 in grant funding for the purchase of equipment. Proposals are provided for a John Deere Subcompact Utility Tractor in the amount of \$20,696.28 and a tow behind infield groomer for \$5,872.05. They also provided documentation of their 501(c)(3) status and a copy of their bylaws. Supervisor Corwell commented that they do provide a great service to the Township residents and kids that use the field. He added that when he drove past this evening kids were out there playing. Supervisor Brookens noted that this is the type of project the Board had in mind when the program was developed. On a motion by Shawn M. Corwell, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted to approve the grant application for the Scotland Youth Baseball League for the purchase of the specified equipment in the application in the amount of \$25,000 and also authorize the Treasurer to submit paperwork to the Scotland Youth Baseball League for the processing of the grant.

The Chairman presented a proposal from ELA Sport, an engineer company located in Lititz Pennsylvania that specializes in athletic facilities design and consultation. The proposal is for \$10,600 and includes the design specifications and bid documents for a synthetic turf field to be placed on the current softball/JV baseball field. Supervisor Corwell noted that the Township did apply for a grant through County and if approved, this proposal would be eligible for reimbursement. Following review and consideration, on a motion by Travis L. Brookens, seconded by Shawn M. Corwell, and by a vote of 3-0, the Board unanimously voted to approve the proposal from ELA Sport as presented.

The Engineer presented a list of escrow balances to be returned for previously approved plans. There are eight accounts total. The Engineer recommends refunding six in full, retaining \$500 for the Paetow Plan and \$1,000 for the Scot Greene/DR Horton Plan for storm water inspections to be done in the future. A list of escrows returned is included with the minute attachments. On a motion by Shawn M. Corwell, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted to refund the escrow balances as presented; \$500 will be retained for the Paetow Land Development Plan and \$1,000 will be retained for the Scot Greene/DR Horton Phase I Final Subdivision Plan for future storm water inspections.

The Engineer began the MS4 update by noting that the Township is getting ready to begin the permit renewal process. This will be the third year for the MS4 permits; the Township started MS4 in 2019. The annual report is being prepared, which is due the end of September. Supervisor Corwell was able to secure a South Mountain Association (SMA) grant to fund the completion of five Minimum Control Measures. Phillaman Run was identified as a PRP, and the SMA grant will help pay for the surveying, design and permitting for that project. The Township was able to purchase CloudCompli Software, which will help to record outfalls as well as compile BMPs. The Engineer stated that the Storm Water Ordinance will need updated to align with DEP's model ordinance. That will need to be done before the Township's five year MS4 permit expires, which is January 31, 2024. DEP has announced that the application process

to renew will begin in August 2023. The Chairman asked if the Township would receive any MS4 credits on the Phillaman Run project for the work done along Scotland Main Street. The Engineer responded that pollutants need to be removed to get credits, but he could talk to HRG to see if that project would qualify. Supervisor Corwell commended the office staff on their hard work and stated this has been a learning process. The Township went through an audit earlier this year and did a great job.

The Solicitor informed the Board that yesterday was the oral argument for the Jaindl case. Both sides presented the case well; it was a three-judge panel, so the Township will need two out of three to win the case. He expects a decision within three to six months. Earlier this month, Judge Nicklas heard seven cases regarding seven citations (combined into one hearing) for the HR Recycling issue. Judge Nicklas ruled in favor of the Township and ordered Mr. Heck to pay \$250 plus court costs for each of the citations. Mr. Heck has 30 days to appeal that decision. Later that day, the Solicitor received a call from an attorney representing Mr. Heck asking if the Township would be willing to discuss payment plan options for the zoning violation. The Solicitor responded they would not discuss payment plans until the property was cleaned up. The Solicitor made note that due to new regulations, if the Township ever enacts a real estate tax, an ordinance will need to be adopted for that. His firm and PSATS both have model ordinances if the Township chooses to pursue that.

On a motion by Shawn M. Corwell, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted to authorize the payment of invoices as follows: check numbers 30639 through 30666 and six ACH transactions to be paid from the general fund, check numbers 3856 through 3859 from the liquid fuels fund and check number 2271 through 2272 and one ACH transaction to be paid from the electric light fund.

The Chairman adjourned the meeting at 7:56 pm.

Respectfully submitted,

Secretary