

January 9, 2018  
Scotland, PA 17254  
Regular Meeting

The Greene Township Board of Supervisors held a Regular Meeting on Tuesday, January 9, 2018 at the Township Municipal Building, 1145 Garver Lane, Scotland, PA.

Present:

Todd E. Burns	Gregory Lambert
Travis L. Brookens	Daniel Bachman
Shawn M. Corwell	Diann Weller
	Welton Fischer

Visitors: See list

The Chairman called the Meeting to order at approximately 7:00 P. M..

The Minutes of the Regular Meeting held December 26, 2017 shall stand approved as presented and become part of the official record.

The Minutes of the Re-organization Meeting held January 2, 2018 shall stand approved as presented and become part of the official record.

The Minutes of the Township Comprehensive Plan Update Meeting held December 19, 2017 shall stand approved as presented and become part of the official record.

The Chairman noted the presence of one high school student and informed the student to feel free to ask questions during the Meeting or after the Meeting, if preferred.

Township resident Raymond Stockslager, 139 Chancellor Drive, Chambersburg, addressed the Board noting he had photos of damages done to his yard area during recent snow plowing. He noted the large dirt clods and asked they be removed. The Chairman informed him that the Township repairs snow plowing damages in the spring and the Township now has a hydroseeder which makes repairs even faster than in the past.

The Chairman asked the Township Solicitor to explain the next Agenda item. The Solicitor explained that towers which broadcast for cell phones, etc are proliferating so much and keep coming up with new products that require more poles to be installed. These persons do not want to be governed by local zoning laws. There is current legislation being proposed that would allow the broadband collection system not be subject to local zoning rules which means if this would pass, the Township would have no control as to where they could place the poles. The State Association (PSATS – Pennsylvania State Association of Township Supervisors) has brought this matter to the Township's attention and has asked the Township to join them in opposing this proposed legislation by adopting a resolution. The State Association provided a sample resolution that the Township could utilize in voicing their opposition to be adopted and be included with other Member-municipalities hoping the legislation would not pass and continue to allow the local municipalities to have control. The Chairman thanked the Solicitor and stated that this is very important from a Township perspective. He noted various times the Township has had issues with utility companies placing lines, etc in the Township's right-of-ways without any permission. He stated the Township experienced that recently in the last year

with fiber optic lines being installed unknown to the Township which caused the Township to lose a month's worth of work to get the matter resolved. He stated the Township does have agreements with other utility companies to place in a right-of-way and those agreements should be required for all other utility companies as well. Supervisor Corwell agreed with the Chairman noting the fiber optic issue caused a delay on the Township's project with roadwork and the Township should have had input in that process. Supervisor Brookens also agreed with the other Board Members noting that zoning does a good job in dictating where they can and cannot be installed; the last thing the Township would want would be to have these high towers in residential areas. The Solicitor stated that what most people do not realize is that the right-of-way is more than the paved area in front of their homes. He explained that the Township's road right-of-way extends beyond the paved area into residents' yard area that is planted and they mow; without any controls, there would be nothing to stop a pole being placed in someone's front yard. This is why it is so important for the Township and other municipalities to say 'NO' to this proposed legislation and not allow it to pass. 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 Township **Resolution No. 6-2018** opposing HB 1620 (PN 2146) regarding an amendment to Wireless Broadband Collocation Act which would provide a state-wide pre-emption of local zoning for wireless facilities.

The Chairman stated the Township will be attempting to obtain funding for the North Chambersburg Improvements Project Phase II through the Multimodal Transportation Fund program, a grant program administered by the Pennsylvania Department of Transportation. The Township has been asked to pass a resolution to be part of the application; the same having been done previously with the Phase I grant application; would be in conjunction with the Borough of Chambersburg and Chambersburg Health Services. Phase II would consist of three parts: (1) signalization at the intersection of Walker and Kohler Roads and intersection of Parkwood Drive, Kohler and Grandpoint Roads; (2) extension of Fifth Avenue to intersect with Kohler Road; and, (3) construction of a roundabout at the intersection of Parkwood Drive and Fifth Avenue. The Township Resolution would encompass the following: (1) to authorize formal expression of support for Phase II; (2) to authorize filing of application; and, (3) to authorize signatures to execute the grant documents. The Solicitor commented that he did not know the total project costs but to obtain a grant to pay for most if not all the work would be great but realizing there is no guarantee the Township will receive it but the effort is to apply and hope for the best. Supervisor Corwell inquired that if the Township did not receive the full amount being requested, could individual projects be done in phases, i.e. signalization. The Chairman stated the grant consists of multiple projects and if funding was not received then other sources of funding would have to be considered. Supervisor Corwell asked whether it would be "all or nothing". The Solicitor stated the application for the grant does not go into that detail and if less funding was offered the Township would first have to be sure the Township could handle the additional funding. 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 adopt Township **Resolution No. 7-2018** authorizing formal expression of support for Phase II of the North Chambersburg Improvements Project, authorizing the filing of the application for multimodal transportation fund program grant; and, authorizing signatures to execute grant documents.

The Chairman noted that as part of the Routes 11/997 Intersection Project, the Township had purchased several properties in order for that project to proceed. One of the properties, identified as Parcel # 09-0C08B-057.-000000, 5317 Cumberland Highway, had an overhead street light for which the property owner paid a street light tax. There is a nominal fee assessed to that property for that street light which was collected through the Township Tax Collector in conjunction with the County. In order for the Township to have that property removed from the County and Township Tax Collector's records, the Township needs to provide a letter to the County requesting to be exonerated from the street light assessment since they now own the property. Supervisor Corwell asked the Township Engineer if the street light will remain and the Engineer stated there will be lights on the traffic signal mast heads. Supervisor Brookens asked if that was where they were at present and the Engineer stated he was not sure at this time but there would be overhead lights associated with the signalization. The Solicitor informed the Board that this action would not allow the Township to remove the street light, only to exonerate the tax. Discussion ensued as to whether a street light would remain there in some manner. The Chairman again noted what the Solicitor stated is that the exoneration is so that the County and Township Tax Collector would remove the property street light tax. 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 authorize the exoneration of the street light tax for Parcel # 09-0C08B-057.-000000, identified as 5317 Cumberland Highway, said property now owned by the Township and purchased as part of the Routes 11/997 Intersection Project.

The Chairman noted the resignation of long-time Township Planning Commission Member, Mr. Dale Eberly, who faithfully served the Township for 20+ years. In the process of replacing Mr. Eberly, several individuals were interviewed who had expressed interest in serving on the Commission. Mr. Richard (Rich) Fogal expressed that he was very interested in joining the Planning Commission and had attended the Commission Meeting on January 8 as a resident in observation. The Chairman stated that Mr. Fogal owns a small architecture firm, has a good concept of planning, familiar with Township regulations, and should be a good asset to the Commission. Therefore, the Chairman stated he would recommend the appointment of Mr. Fogal to the Township Planning Commission. Supervisor Corwell stated he had met Mr. Fogal recently and agreed with the Chairman's comments and recommendation. Supervisor Brookens stated he also agreed and that Mr. Fogal had worked with the Township in the past on plans so he should be an asset to the Commission for that reason and also has a good concept of planning, etc. On a motion by Travis L. Brookens, seconded by Shawn M. Corwell, and by a vote of 3-0, the Board unanimously voted to appoint Mr. Richard (Rich) Fogal as a Member of the Township Planning Commission for a four-year term commencing 2018.

The Township Engineer presented a request for release of the \$20,588 Stormwater Performance Bond that had been provided by Franklin County Area Development Corporation (FCADC) for Lot 27B in the Cumberland Valley Business Park (CVBP), 1669 Opportunity Avenue. He stated the Bond was for a parcel at the intersection of Opportunity and Coffey Avenues; FCADC had provided for the future Welding School. He further explained that construction had begun in the summer of 2016, completed in the spring of 2017, and have requested release of the Bond in the amount of \$20,588. The Engineer stated he had inspected the site during construction and also when the request was submitted, was satisfied with the completed work, therefore, would recommend release of the full amount. The Chairman asked

if the building was occupied yet and the Engineer was not certain if classes had begun but has observed four to five cars in the parking lot. 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 grant release of the Stormwater Performance Bond provided by the Franklin County Area Development Corporation for Lot 27B in the Cumberland Valley Business Park, 1669 Opportunity Avenue, in the amount of \$20,588 as presented.

Supervisor Corwell presented information for consideration of the annual (2018) contribution to the Franklin County Public Safety Training Center. He stated that each year the Center provides training for both fire and police departments and has also added “flagger training” course to municipalities; all courses being offered free to County fire companies and municipalities. The requested contribution is based on the Census 2010 population at a rate of 15 cents per resident. He noted that one course that is held that is charged a fee which covers housing and meals is the Junior Fire Academy held each year. Various classes are held throughout the year for fire and police as well as municipalities. The Chairman stated it is a good benefit for the municipalities and has personally attended some of the training courses and also noted the Center has made improvements for better atmosphere for training, etc. It was noted the Township has not received a copy of the Center’s budget for 2018. Supervisor Corwell also stated the Center is all volunteer, no one gets paid including the Director, Board of Directors, etc. 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 authorize a contribution to the Franklin County Public Safety Training Center for year 2018 in the amount of \$2,505.

Each Board Member received a copy of the Fayetteville Volunteer Fire Department Fire Police Monthly (December 2017) and Yearly Reports. In reviewing the Reports, the Chairman noted the month of December appeared fairly in line with other months in 2017. Following review it was consensus of the Board the Reports shall become part of the official record.

The Zoning Officer informed the Board the Township had received a Conditional Use Permit Application for a solar energy conversion system at property of Evgeniya Denisenko, 1150 Fiddlers Road, Chambersburg. The ZO stated the Application was received January 8 and if the Board desired to hear the request, a public hearing would need to be held within sixty (60) days of the request, in the vicinity of March 9, 2018, either the date of the Supervisors Meeting February 13 or February 27. The request will be forwarded to the Planning Commission first for their review; their next meeting is scheduled for February 12. The Chairman noted that last year the Township had discussed changing the process for these types of requests (solar energy conversion systems). He suggested the appropriate officials meet to review and revise this process. The Solicitor stated that a draft ordinance had already been prepared so the Board could move forward most any time. 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 schedule a public hearing to consider the Conditional Use Permit Application for a solar energy conversion system at property of Evgeniya Denisenko, 1150 Fiddlers Road, to be held February 13, 2018, at the Greene Township Municipal Building, 1145 Garver Lane, Scotland, PA, at 7:00 P.M., prevailing time. It was noted the Zoning Officer will handle the public notice.

The Zoning Officer presented and reviewed the Monthly Zoning Office Report for December 2017, each Board Member having received a copy. He noted the Zoning Hearing Board received two (2) applications which will be heard at their next scheduled meeting to be held January 29 (2018). Following review it was consensus of the Board the Monthly Zoning Office Report shall become part of the official record.

The Zoning Officer presented and reviewed the 2017 Annual Zoning Office Report, each Board Member having received a copy. He noted the increase in total Land Use Permits from 2016 to 2017, 371 to 419. He further noted the total construction value for 2017 had increased from 2016 (\$14,050,710 to \$31,709,074) noting that four (4) Permits in particular had very high construction values. There were eighty-nine (89) new dwelling units (8 duplex, 57 single-family, 24 townhouses) in 2017. Upon the ZO completing review of the Report, the Chairman stated it was nice to see a steady increase in construction and hopefully the economy will continue the trend; growth good for the Township, steady but in a controlled manner. He further noted the increase could also be attributed to the improvements to the sewer system with more taps being released through PA DEP and good to see they are being used. He noted quite a large project that contributed to the zoning fees and aware of several other large projects proposed for the coming year. Following review of the 2017 Annual Zoning Office Report by the Board, it was their consensus the Report become part of the official record.

There were no Subdivision and/or Land Development Plans to be presented at this Meeting.

The Township Solicitor had no further comments to present at this Meeting.

At this time, the Chairman stated he wished to add an item to this Agenda; that being pay increases for Township employees based on reviews. The percentage ranged from 2.5 to 4 depending on employees' pay rates currently; from \$0.70 to \$1.25 per hour. He wished to present to the Board for consideration and did not recommend any changes to benefits, the same being for 2018 as in 2017. On a motion by Shawn M. Corwell, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted to provide pay increases for Township employees as presented from 2.5% to 4% and benefits remain unchanged.

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 26136 through 26154, two credit card payments, one direct deposit, inclusive, to be paid from the General Fund; and, Check Number 2128 to be paid from the Electric Light Fund.

There being no further business before the Board for this Meeting, the Chairman adjourned at approximately 7:50 P.M..

Respectfully submitted,

---

Secretary