

November 12, 2013
Scotland, PA 17254
Regular Meeting

The Greene Township Board of Supervisors met in regular session Tuesday, November 12, 2013, at the Township Municipal Building, 1145 Garver Lane, Scotland, PA, following a Public Hearing regarding *STOP* signs in the Village Greene Development.

Present:

Charles D. Jamison, Jr.
Todd E. Burns
Travis L. Brookens

Daniel Bachman
Diann Weller
Welton J. Fischer

Visitors: See list

The Chairman called the Regular Meeting to order at approximately 7:03 P. M..

The Minutes from a Public Hearing held October 22, 2013 regarding proposed ordinance, "Industrial Discharges", shall stand approved as presented.

The Minutes from a Public Hearing held October 22, 2013 regarding proposed ordinance, "Stop Signs on Marcella Drive", shall stand approved as presented.

The Minutes from the Regular Meeting held October 22, 2013 shall stand approved as presented.

The Chairman noted the presence of another student at this Meeting and asked her to stand and introduce herself. The student introduced herself, stated she attended Chambersburg Senior High and was attending for a 'Civics' class. The Chairman welcomed the student and stated if at any time during the meeting she could ask questions or ask after the Meeting.

The Township Solicitor presented proposed Township *Resolution No. 2013-22* regarding 25 mph speed limit in the Village Greene Development. He stated that State law provides that if in a residential district all criteria are met the speed limit is automatically 25 mph but it cannot be in effect until the speed limit is posted and this *Resolution* would authorize the Township to post it. The Solicitor read the roadway locations within the development where the (25 mph) speed limit would be posted (i.e. Whinstone Way, Gabrielle Lane, Mountain View Drive, and Charleston Drive). The Solicitor further noted the proposed *Resolution* would not have to be advertised because it is a 'resolution' (as opposed to an 'ordinance'). Following review and consideration, on a motion by Travis L. Brookens, seconded by Todd E. Burns, and by a vote of 3-0, the Board unanimously voted that Township *Resolution No. 2013-22* regarding 25 mph speed limit in the Village Greene Development be adopted as presented.

The Township Solicitor noted the Township had been advised by General Code that certain language (namely, fine amount regarding penalty for violation at Stop signs) in a recent Township Ordinance was different than the penalty for violation set forth in another portion of the Code and needed clarification. The Solicitor proposed an ordinance that would

simply state the fine (penalty for violation) would be the penalty as stated in the State Vehicle Code which is what it should be. Therefore, he stated he proposed to change Section 94-3C from the currently stated \$25.00 fine to coincide with the State Vehicle Code. Following review and consideration, on a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted to schedule a public hearing to consider a proposed ordinance to amend a section of the Township Code related to penalty fine for violation at Stop signs; said public hearing to be held Tuesday, December 10, 2013, at 7:00 p.m., prevailing time, at the Greene Township Municipal Building, 1145 Garver Lane, Scotland, PA, in the Township Meeting Room.

Township Supervisor Todd E. Burns (who serves as the Township's representative on the Franklin County Tax Board) presented the Tax Bureau's Proposed 2014 Operating Budget. He noted there were no real major changes from previous years; fringe benefits remain the same with salary increase at 2% for full-time and 25 cents per hour for part-time. Following his presentation, a time was given for any questions and/or comments from any remaining Board Member or visitors in attendance; there were none presented. Supervisor Burns stated there had been a change in the By-Laws earlier this year whereby the Tax Bureau's Budget would be considered "approved" once a majority of the reporting municipalities have considered the Budget 'passed'; it is contingent on the majority of municipalities approving the Budget. Following review and consideration, on a motion by Travis L. Brookens, seconded by Charles D. Jamison, Jr., and by a vote of 3-0, the Board unanimously voted the Franklin County Area Tax Bureau's Proposed 2014 Operating Budget be approved as presented. *Further*, on a motion by Charles D. Jamison, Jr. and seconded by Travis L. Brookens, Todd E. Burns was unanimously appointed as the Township Representative and the Alternates will be the remaining two (2) Board Members in 2014 which will be Travis L. Brookens and new, incoming Township Supervisor, Shawn Corwell.

The Chairman noted that due to Shawn Corwell being elected as Township Supervisor, he cannot hold two (2) positions so he has to step down as Township Auditor; he referred the Board Members to a copy of correspondence received from Mr. Corwell regarding the matter. Supervisor Burns inquired of Mr. Corwell (in attendance at this Meeting) when his current Auditor's term expired and Mr. Corwell stated 'December 2015'. Therefore, a replacement would be needed before the end of 2013 to have a full Board of Auditors to begin in 2014. On a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted the resignation of Township Auditor, Shawn Corwell, be accepted as presented.

Township Supervisor Todd E. Burns stated the Township has received various request for providing WiFi internet service at the Township Park, especially for baseball games and also for potential surveillance cameras; services would be provided from Comcast and installation by Hinton Associates. He noted that Comcast is willing to offset 90-95% of the cost because so much of the work has already been done and they only need to pull wires. A quote was received and reviewed by the Board from Hinton Associates for a total cost of \$4,810 which includes both Hinton and Comcast costs. Following review and consideration,

on a motion by Travis L. Brookens, seconded by Charles D. Jamison, Jr., and by a vote of 3-0, the Board unanimously voted the WiFi internet service at the Township Park quote by Hinton Associates (which includes Comcast costs) be accepted as presented at a total cost of \$4, 810 and then annual recurring costs.

On behalf of the Township Engineer who was absent from this Meeting, the Township Secretary presented a request for refund of plan review escrow for the Burkholder Land Development Plan, Project #13-006, in the amount of \$1,082.50. The Secretary stated an original escrow of \$1,500 was submitted to the Township; \$417.50 was expended for various review fees; request letter was submitted by Janice Burkholder for refund of the remaining \$1,082.50; all fees have been paid and no amount will be retained by the Township; it was being recommended a full refund in the remaining balance of \$1,082.50 be forwarded with the check being made payable to Burk-Lea Farms. Following review and consideration, on a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted the request for refund of plan review escrow for the Burkholder Land Development, Project #13-006, in the amount of \$1,082.50, be approved and the check be made payable to Burk-Lea Farms.

On behalf of the Township Engineer who was absent from this Meeting, the Township Secretary presented a request for escrow return for Sollenberger's Messenger Service Parking and Circulation Plan, Project #13-011, in the amount of \$142.50. The Secretary stated an original escrow of \$250 was submitted to the Township; then, the Township had originally invoiced a total expended amount of \$447.50 for an amount owed by Sollenberger's of \$197.50. Sollenberger's paid the amount owed (\$197.50), however, it was discovered after the fact that a Martin & Martin, Inc. invoice was incorrect that it showed the wrong Project #; Martin & Martin had originally invoiced time for 3 hours (\$285) and it should have only invoiced 1.5 hours (\$142.50); therefore, the Township actually owes Sollenberger's \$142.50; no amount is to be retained by the Township and it is recommended a full return of \$142.50 be forwarded with the check being made payable to Sollenberger's Messenger Service. Following review and consideration, on a motion by Travis L. Brookens, seconded by Todd E. Burns, and by a vote of 3-0, the Board unanimously voted that Sollenberger's Messenger Service Parking and Circulation Plan, Project #13-011, be issued a check for escrow return of \$142.50.

On behalf of the Township Engineer who was absent from this Meeting, the Township Secretary presented a request for refund of plan review escrow for Chambersburg Salt Yard (CVBP), Project #13-007, in the amount of \$2,737.50. The Secretary stated an original escrow of \$4,700 was submitted to the Township; \$962.50 was expended for various review fees; request letter was submitted by Dennis E. Black Engineering, Inc. on behalf of client for refund of remaining \$3,737.50. Per previous comments from the Township Engineer, he requested that \$1,000 be retained for stormwater inspections and recommended a partial refund of \$2,737.50 be forwarded with the check being made payable to Woodland Equipment and Supply Company who paid the original escrow. Supervisor Brookens questioned \$1,000 being retained for stormwater inspections and the Chairman noted there are

at least two areas to be inspected yet and \$1,000 being retained should cover those inspections adequately. Following review and consideration, on a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted the request for refund of plan review escrow for Chambersburg Salt Yard (CVBP), Project #13-007, be approved with an amount of \$2,737.50 be returned and the Township will retain \$1,000 of the original escrow for future engineering inspections with the check being made payable to Woodland Equipment and Supply Company who paid the original escrow.

The Board reviewed the Fayetteville Volunteer Fire Department Monthly Fire Police Report for October 2013. Following review, it was consensus of the Board the Report be accepted as presented.

On behalf of the Township Engineer who was absent from this Meeting, the Zoning Officer presented a request to authorize signature for renewal of the NPDES Permit for discharge at the Township Park. He stated the Permit is valid for five years and if it lapses, then a new Permit would be subject to new rules and regulations. Supervisor Brookens inquired as to who signs the Permit Application and the Zoning Officer stated he was not sure who had signed the last Permit. The Chairman stated he had spoken to the Township Engineer and had requested it be handled through a Meeting. Following review and consideration, on a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted to authorize the renewal of the NPDES Permit for the Township Park and the Chairman be authorized to sign on behalf of the Township.

The Township Zoning Officer presented and reviewed the Zoning Office Monthly Report (October 2013) noting that one Application to the Zoning Hearing Board was continued from the previous month and, in addition, there was one new Application submitted for consideration. He stated the second Application (for Cargill Animal Nutrition, Inc.) is in the process of submitting a Land Development Plan noting the existing office encroaches into the side yard setback area and also requesting additional setback variances. Following review of the remaining Report, it was consensus of the Board to accept the Monthly Zoning Office Report as submitted and presented.

The Zoning Officer presented and read correspondence from TME Surveying, LLC requesting a waiver of Greene Township Code 85-18.A.5 which requires topographic contours on behalf of the Final Subdivision/Lot Addition Plan for Jacoba Den Hartog Estate. There is no proposed construction or earthmoving disturbances proposed for this Plan and the waiver request was being made with the understanding that if construction or any earthmoving disturbances would occur in the future, all required rules and regulations (i.e. Franklin Soil Conservation, PA DEP, Greene Township) would be complied with the topographic contours being provided as part of a land development plan. The ZO stated he had spoken with the Township Planner regarding this request and it was recommended for approval. Following review and consideration, on a motion by Travis L. Brookens, seconded by Todd E. Burns, and by a vote of 3-0, the Board unanimously voted the request for waiver of Greene Township Code 85-18.A.5, *Requirement to Show Topographic Contours*, for the DenHartog Subdivision/Lot Addition Plan be approved.

The Zoning Officer presented a Parking and Circulation Plan for RNR Group, LLC; property located in the R-1 (Low Density) Residential zoning district; located off Kohler Road at the former Diller Plumbing and Heating property; propose change in use; previous use was non-conforming; Applicant requested a change in use from the Township Zoning Hearing Board and was granted approval on September 16 for a change in use. The ZO displayed the plan showing the building's parking area and stated it meets the Township's parking requirements. The ZO stated the one comment from the Township Planning Commission regarding screening needed additional details which were dropped off to the Township. They were reviewed by the Township Engineer and following his review, the Engineer recommended approval of the request. Supervisor Burns inquired if the screening was shown on the north side of the Plan being displayed and the ZO stated the screening would be green arborvitae placed at three-foot intervals. Following review and consideration, on a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted the Parking and Circulation Plan for RNR Group, LLC be approved as presented.

The Zoning Officer presented a 1-Lot Final Subdivision/Lot Addition Plan for the Den Hartog Estate; property located off Hafer Road in the R-1 (Low Density) Residential zoning district. The ZO stated there are two dwellings on separate parcels; one parcel is to be conveyed to the property of Thomas Cutchall as a lot addition. A copy of the *Approval Checklist* with comments from the various reviewing agencies was distributed to each Board Member for their review as follows: Franklin County Planning Commission – reviewed with no comment (10.9.13); Form B forwarded to PA DEP (9.30.13); Township Engineer and Planner – found plan to be satisfactory and would recommend approval (10.31.13/11.12.13); plan was staff reviewed on behalf of the Greene Township Planning Commission and recommended approval. Supervisor Brookens inquired if this lot addition would have access to Granny Smith Lane and after the ZO reviewed and discussed the plan with Supervisor Brookens, the ZO stated the plan was not changing anything that was already there. The ZO noted there is a stormwater basin in the area and the Township Solicitor asked the Board and ZO if they were sure of the basin noting his concern would be if there was maintenance of the basin already established or needed to be. Supervisor Brookens stated he did not think there was a problem since the addition is to the adjoiner already. The Solicitor cautioned the Board to be careful the Township would not end up with a lot that sits alone and there is no one responsible for the maintenance. The ZO stated the stormwater basin is along the west side of the properties being considered; the ZO and Supervisor Brookens discussed access noting there was no access to Granny Smith Lane but to Hafer Road. The ZO stated the stormwater basin is not in the area of the proposed lot addition. The Chairman noted that proper piping would need to be in the proper size in the future and the ZO stated there is a drainage easement already there in the area being discussed. The Chairman suggested if approval is granted it be made conditional that if access would be desired to Granny Smith they must install the right pipe size to accommodate it. Supervisor Burns noted that a driveway permit application would draw attention to the area as well. The ZO noted that a channel in that area has been designed and the roadside channel is currently noted and

properly maintained. Following review and discussion, on a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted the DenHartog Estate 1-Lot Final Subdivision/Lot Addition Plan be approved with the condition that if any future access to Granny Smith Lane is requested, it must meet the Township Engineer's approval and the stormwater flows that cross that property.

The Zoning Officer presented a Revision to Approved Plan (Parking Area) for D. H. Martin Excavating, Inc.; revision to approved plan; property located in the R-1 (Low Density) and R-2 (Medium Density) Residential zoning districts. The ZO stated the Plan was previously approved and it came to the attention of the Township the area was being utilized. He stated this Plan revises the previous Plan and justifies the parking; shows that ten parking spaces have been moved but the parking has actually been increased by the revision. The Revised Plan was reviewed by both the Township Planner and Township Engineer and they noted the Revised Plan does meet all Township requirements, therefore, both recommended approval of the Revised Plan as submitted. Following review and consideration, on a motion by Travis L. Brookens, seconded by Todd E. Burns, and by a vote of 3-0, the Board unanimously voted the Revision to Approved Plan (Parking Area) for D. H. Martin be approved as presented.

Due to conflict of the majority and/or all Board Members, the November 26 Meeting was considered to be cancelled. The next regularly scheduled meeting is to be held December 10 and when considering if the November 26 meeting could be re-scheduled for another time, it was noted the week of November 26 is Thanksgiving week which posed a conflict as well as the following week also posing a conflict for Board Members. Supervisor Burns stated he did not see a need to have a meeting that week or even prior to December 10. Following consideration and discussion, on a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted the Regular Meeting scheduled for November 26 be cancelled and no other meeting will be re-scheduled with the provision the Township Treasurer will prepare checks for the three Supervisors' approval and signatures regarding invoices due before the December 10 Meeting.

The Board discussed the scheduled Regular Meeting to be held December 24 and various dates to re-schedule said Meeting. Following consideration and discussion, on a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted the December 24 Regular Meeting be cancelled and re-scheduled for Thursday, December 26, at 7:00 p.m., at the Greene Township Municipal Building, 1145 Garver Lane, Scotland, PA.

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

On a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted to authorize the payment of invoices presented as follows: Check Numbers 20770 through 20814 with one on-line pay, inclusive, to be paid from the General Fund; Check Numbers 3070 through 3073 with one on-line pay, inclusive, to be paid from the Liquid Fuels Fund; and, Check Number 2025 with one on-line pay, inclusive, to be paid from the Electric Light Fund.

There being no further business before the Board for this Meeting, the Chairman adjourned at approximately 7:53 P. M..

Respectfully submitted,

Secretary