

January 14, 2014
Scotland, PA 17254
Regular Meeting

The Greene Township Board of Supervisors met in regular session Tuesday, January 14, 2014 at the Township Municipal Building, 1145 Garver Lane, Scotland, PA.

Present:

Todd E. Burns
Travis L. Brookens
Shawn M. Corwell

Gregory Lambert
Daniel Bachman
Diann Weller
Welton J. Fischer

Visitors: See list

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

The Minutes of the Regular Meeting held December 26, 2013 shall stand approved as presented. The Chairman noted that Mr. Corwell was not yet a Member at the time of this Meeting, therefore, could not vote either way.

The Minutes of the Re-Organization Meeting held January 6, 2014 shall stand approved as presented.

There was no public comment offered at this Meeting by anyone in attendance.

The Township Engineer presented a request for refund of plan review escrow regarding the Jacoba W. A. DenHartog Estate, Project #13-021, in the amount of \$1,055. He stated the original escrow submitted was \$1,500 with \$445 being expended in various fees which have all been paid with a remaining balance of \$1,055, recommended approving the refund request, and returning the balance to the DenHartog Estate, c/o Margritha A. Cutchall. 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 grant the request for refund of plan review escrow for DenHartog, Project #13-021, in the amount of \$1,055, as presented, and the refund will be returned to Margritha A. Cutchall.

The Chairman noted that in past years, the Township had contributed to the Cumberland Valley Animal Shelter (CVAS) and stated they do provide a very valuable service to the Township and its residents. He noted that in 2013 the annual contribution was missed being sent and thought it appropriate to bring to the Board. He stated that in 2013 the amount of \$16,000 was budgeted for this donation so it would be for 2013 although being paid in 2014. Member Corwell inquired if this amount had been paid in the past and the Chairman stated 'yes'. 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 provide a donation in the amount of \$16,000 to the Cumberland Valley Animal Shelter for their 2013 donation.

The Chairman noted the Fayetteville Volunteer Fire Department Fire Police Monthly (December 2013) and Year-to-Date (2013) Reports had been distributed to each Member for their review and consideration. He noted the year-to-date total calls as 179 (fire-45; mva-94; miscellaneous-40). It was noted the Fayetteville Volunteer Fire Department Fire Police Monthly and Year-to-Date Reports be accepted and recorded, as received.

The Zoning Officer presented and reviewed the Monthly Zoning Office Report which showed no applications received for the Zoning Hearing Board for the month; no Conditional Use Permit requests received; eight (8) Land Use Permits, one (1) Driveway Permit, and one (1) Well Permit all issued during the month of December (2013); total month's zoning fees were \$539.00; and, one (1) Subdivision/Land Development Plan received for review (Bradley Gsell, 1-Lot Final Subdivision Plan). It was consensus of the Board that the Monthly Zoning Office Report be accepted and recorded, as received.

The Zoning Officer presented the 2013 Annual Zoning Office Report noting that the type of permits issued, construction value, and total zoning fees were all lower in 2013 than 2012. The ZO noted the lack of sewer permits during 2013 definitely had an impact on the number of Land Use Permit applications and issuance of same. He also noted the number of subdivision plan submittals was also lower although some commercial plans were submitted but even they were lower than previous years. He said he does not expect any large quantity of single-family residential applications to be submitted. The Township Solicitor inquired if any problems had arose regarding the system of allocating the issuance of sewer permits and the ZO stated 'no' and what he has heard from contractors has been favorable. It was consensus of the Board that the 2013 Annual Zoning Office Report be accepted and recorded, as presented.

The Zoning Officer presented a request for waiver of Greene Township Code 101.5, *Well Location*, for Robert Kirkner property at 1778 Blakewood Drive, as submitted by Negley's Welling Drilling, Inc. correspondence on behalf of Mr. Kirkner. The ZO noted there is no public water available in that part of the Township. He stated the existing well on the property had failed and Negley's was requesting two (2) setback waivers and had included a copy of the setback requirements for the Board's reference and information (in their packets provide at this Meeting). One waiver is for a setback of 18+/- feet (32 feet as opposed to required 50 feet) and the second waiver is for a setback of 5+/- feet (25 feet as opposed to required 30 feet). The ZO reviewed the various reasons for the requested setbacks as outlined in Negley's correspondence received. Following that review, the Chairman asked if Negley's representative, present at this Meeting, if he had any further comments and he stated 'no'. The Chairman asked the Township Engineer if he had any further comments and the Engineer stated he had no further comments and concurred with Negley's statement that they were unable to gain access to the back of the property. The Engineer further noted the area selected on the site is about as favorable as can be found and that the reason you must stay away from the building foundation is in case of any insect treatment that would be done. The Engineer recommended approval of the waiver request as presented. Member Brookens stated he had no other comments other than it meets the criteria for not meeting the requirements and that it is a pre-existing situation. The Engineer noted that it is actually an improvement rather than what is existing. The Chairman noted the validity is present to grant the waiver due to 'best case scenario'. Following review, discussion, and consideration of the request, on a motion by Travis L. Brookens, seconded by Shawn M. Corwell, and by a vote of 3-0, the Board unanimously voted to grant the request for waiver of both setbacks as contained in Greene Township Code 101.5 regarding the well location for Robert Kirkner property at 1778 Blakewood Drive.

The Zoning Officer presented written correspondence from Mark Sturtevant, Project Manager, of Dennis E. Black Engineering, Inc., on behalf of their client, Platea USA Manufacturing Facility, located in the Cumberland Valley Business Park. Submitted was a request for waiver of Greene Township Code 85-51.A, *Requirement to Install Sidewalks* relative to Platea's Land Development Plan which has been received by the Township. The ZO noted the facility is located along Opportunity Avenue near D-Tag, Edge Rubber, and new Stouffer Mechanical building under construction. The ZO stated that in the Project Manager's correspondence he listed all reasons for the request and noted that other parcels previously developed in the area were not required to install sidewalks along their frontages. The ZO informed the Board that other waivers for exemption of sidewalk installation have been granted with the condition that typically if the adjoining properties were developed and sidewalks were required, then all existing parcels would be required to install sidewalks at that time. Member Brookens inquired if the Township Planning Commission had reviewed the waiver request and also noted that a precedent had been set and the commercial development was not conducive to sidewalks. Following review, discussion 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 grant the request for waiver of Greene Township Code 85-51.A, *Requirement to Install Sidewalks*, submitted for Platea USA Land Development Plan with the condition that if in the future adjoining properties were required to install sidewalks then this commercial property (Platea) would also be required to install sidewalk.

The Zoning Officer presented a 1-lot Final Subdivision Plan for Bradley Gsell property located off Mt. Union Road; approximately 2.4 acres in the R-1 (Low Density Residential) zoning district; property has access to public water and sewer. He stated the original subdivision was submitted as a preliminary plan and this plan differs slightly from the original noting the previous subdivision had been lot additions to adjacent properties and this is a remaining lot to be subdivided. A copy of the *Approval Checklist* was provided to each Board Member for their review with comments as follows: Franklin County Planning Commission - reviewed with no comment (8-9-13); Greene Township Municipal Authority – approved previously and confirmed (1-13-14); PA DEP previously approved (7-15-09); Guilford Water Authority – approved (8-16-13); Franklin County Conservation District – adequate (12-10-13); stormwater bond in the amount of \$805.00 required; also required is transportation impact fee of \$1,086.00 (1 new trip, TSA-7) and recreation impact fee of \$500.00; Township Planner's previous comments have been addressed. The ZO noted that two (2) properties have access across Mr. Gsell's property and that was looked at in depth at the preliminary stage and it was determined that even though they have constructed driveways, they have no right to utilize. The Township Solicitor asked the ZO if this was the same as a private right-of-way and the ZO stated it was not, that what the Solicitor was referring to involved Guilford Water Authority and Bradley Gsell. The Solicitor then inquired that if the two property owners had to come up with an alternative would they have another means of access as well as the Chairman inquiring as to the location and the ZO stated they would have access off Route 233. The Solicitor stated he did not see anything noted on the plan as to a reference, "Owned by US Government" and the ZO noted it was in regard to the location of the Appalachian Trail in the area. The Chairman asked the Solicitor if there were any problems with two owners (driveways) and the Solicitor stated no as long as they

have other means of access (do have access to Mt. Union Road). The Solicitor stated his biggest concern would be the Township not allow land-locked tract of ground and it is not because the two properties have access. The Chairman asked if the existing homes had been constructed in such a way as to being able to construct another driveway access if need be. The ZO stated he did not know because he was unable to find any information in the files as to why these property owners used Gsell property; he could find no written agreements, etc. The Chairman noted the location of the house and garage and wondered if they were able to utilize the access. The Solicitor stated he did not think the Township could force other access because that is existing and this subdivision is not creating the situation. The Solicitor stated the Township could ask Mr. Gsell to place a note on the plan but could not require him. The Engineer noted that if it was required then there would be four (4) driveways onto the private road which would be in violation of the Township Ordinance and this way it allows development of the property. The Engineer noted the requirement of a rain garden which is depicted on the plan would satisfy water quality requirements established by both the Township Stormwater Ordinance and Franklin County Conservation District due to the disturbance of more than one acre; therefore, he stated the Township should require bonding in the amount of \$805.00. Following review, discussion 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 1-lot Final Subdivision Plan for Bradley Gsell property as presented and the plan not be released from the Township office until the stormwater bond of \$805.00 has been posted, the recreation impact fee of \$500.00 be paid, and the transportation impact fee of \$1,086.00 be paid at the time of the Land Use Permit Application submittal.

The Chairman noted correspondence received from the Alliance for the Chesapeake Bay regarding the Township qualifying for a grant for trees from the Alliance. He stated the Alliance is in the process of performing several projects within the County and this correspondence outlines that the Alliance is in agreement to provide trees for the Township Park. Another part of the correspondence outlines what other services the Alliance has to offer and allows the Township to decide what role the Township may wish to consider. The Chairman stated the species of trees has not been determined at this time but this correspondence does notify the Township they will be receiving trees with grant funding. There is no action necessary; just an acknowledgement of receiving the correspondence; however, the Chairman asked the Township Solicitor if any official action was needed and the Solicitor stated they should take official action for the record indicating who authorizes the Chairman to pursue this matter. 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 Chairman to follow up correspondence with the Alliance for the Chesapeake Bay with regard to the letter received regarding tree plantings at the (Township) Park.

The Chairman noted the Township Auditors had agreed to a pay increase for the Board of Supervisors as working employees of the Township and he was opening discussion at this time to provide a pay increase to regular employees as well. Member Brookens stated that he was in favor, it is certainly warranted because the full time employees are worthy of receiving the same compensatory increase as the working Supervisors had received. He further stated the Supervisors generally budget approximately 5% (into the budget) and this

amount falls within that budgeted amount so he was in favor of passing that amount on to the full time employees. Member Corwell stated he was also in favor of the pay increase and that in the short time that he had been at the Township he noted the work put forth by the employees. The Chairman recommended the amount of the pay increase be \$1.00 per hour for full time employees with no additional benefits and that only one (1) part time employee would be receiving a smaller increase. Following consideration, review and discussion, 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 full time employees with a wage increase of \$1.00 per hour with no additional benefits and also one part time employee would receive an increase of \$0.32 per hour and no additional benefits as well for the year 2014.

The Township Solicitor had no further comments to offer.

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 payment of invoices as follows: Check Numbers 20979 through 21017 and one on-line pay, inclusive, to be paid from the General Fund; Check Numbers 3082 and 3083 and one on-line pay, inclusive, to be paid from the Liquid Fuels Fund; and, Check Number 2028 and one on-line pay, to be paid from the Electric Light Fund.

There being no further business to be presented before the Board at this Meeting, the Chairman adjourned at approximately 7:47 P.M..

Respectfully submitted,

Secretary