

October 12, 2010
Scotland, PA 17254
Regular Meeting

The Greene Township Board of Supervisors met in regular session Tuesday, October 12, 2010, at the Township Municipal Building, 1145 Garver Lane, Scotland, PA, following a Public Hearing regarding a Conditional Use Permit request.

Present:

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

Daniel Bachman
Gregory Lambert
Diann Weller
Welton Fischer

Visitors: See list

The Chairman called the Regular Meeting to order at approximately 7:06 P. M..

The Minutes of the September 28, 2010 Regular Meeting shall stand approved as presented.

Sealed Bids were advertised for receipt by the Township for this date, time, and place. The Township Secretary presented all those received. The Chairman opened and read aloud each Sealed Bid as presented. They were as follows:

Bidder's Name	Total Bid Price
Amity Fence Co., Inc. Reading, PA	\$24,750
Long Fence Ijamsville, MD	\$36,195
Perry Fence Co. Fayetteville, PA	\$34,450
Tyson Fence Co., Inc. Harrisburg, PA	\$47,409

Following the opening, reading, and consideration of each Bid received, on a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted the Sealed Bids received to "Furnish Chain-link Fence at Township Park" be reviewed and initially will be awarded based on the proposals to Amity Fence Company of Reading, PA; and, upon review of those bids if Amity Fence Company's bid is found to be insufficient, the bid will then be awarded to the next lowest bidder.

The Board received correspondence from Smith Elliott Kearns & Company, LLC regarding performing the annual audit of the Township Pension Plan for year ending December 31, 2010. Upon review of the correspondence, it was determined there was no actual cost stated. Following review and discussion, on a motion by Travis L. Brookens, seconded by Todd E. Burns, and by a vote of 3-0, the Board unanimously voted that consideration of the proposal by Smith Elliott Kearns & Company, LLC annual audit of the Township Pension Plan for 2010 be tabled until the actual cost is presented to the Township.

The Board received correspondence from Smith Elliott Kearns & Company, LLC regarding performing the annual audit of the Township Section 457 Plan for year ending December 31, 2010. Upon review of the correspondence, it was determined there was no actual cost stated. 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 that consideration of the proposal by Smith Elliott Kearns & Company, LLC annual audit of the Township Section 457 Plan for 2010 be tabled until the actual cost is clarified.

The Township Solicitor stated the Township had received a Road Dedication for all of Appleton Drive and a portion of Pennington Drive in Upland Estates Development. He further stated he had prepared and was presenting at this meeting, Township **Resolution No. 19-2010**, for consideration by the Board. He stated the Township has inspected the roadways and found them to be in accordance with Township requirements. The Chairman confirmed also that all was in order. On a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted that Township **Resolution No. 19-2010**, identified as the Road Dedication of Pennington and Appleton Drives, be granted.

The Township Solicitor stated the Township had received a Road Dedication for Cresthaven Drive, Granny Smith Lane, and South Blackberry Lane in Orchard Estates Development. He further stated he had prepared and was presenting at this meeting, Township **Resolution No. 20-2010**, for consideration by the Board. He stated the Township has inspected the roadways and found them to be in accordance with Township requirements. Township Engineer, Gregory Lambert, noted these streets are located in the final phase of Orchard Estates and the streets were paved this fall and are ready for dedication. 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. 20-2010**, identified as the Road Dedication of Cresthaven Drive, Granny Smith Lane, and South Blackberry Lane, be approved.

The Township Solicitor stated the Township had received a Road Dedication for Roosevelt Drive and Greene Street in Salem Village Development which had been reviewed and accepted for dedication. He stated the Township has inspected the roadways and found them to be in accordance with Township requirements. The Township Engineer, Gregory Lambert, stated these roadways are located in Salem Village Development which is located behind the former Norland Shopping Center with townhouse units at the intersection of Roosevelt Drive and Salem Road. Mr. Lambert further stated he had a slight concern with the way the end of the road was constructed and the drainage and he had spoken with the contractor who stated these issues will be corrected by the end of this week. He stated the

Township continued to hold a bond for the roads in this development. The Township Solicitor asked if this was the development the Township had recently visited on site. Mr. Lambert stated the roadway was milled correctly but the paver filled in the required area which has to be corrected. The Chairman suggested the Resolution be approved subject that if the corrections needed do not meet to the satisfaction of the Township Engineer, it would become null and void. The Township Solicitor stated they could approve with any conditions they deem necessary. 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 that Township **Resolution No. 21-2010**, identified as the Road Dedication of Roosevelt Drive and Greene Street, be approved with the condition there is a swale that needs to be reconfigured at Salem Road and Roosevelt Drive to be completed by Friday, October 15, and if not, this Dedication will become null and void; however, upon satisfactory inspection by the Township Engineer and Roadmasters, the Dedication will be accepted.

The Board then considered to authorize various Road Ordinances regarding posting of speed limit and stop signs as follows: (1) Roosevelt Drive at Salem Road, Roosevelt Drive at Greene Street, and private right-of-way with Greene Street and Roosevelt Drive, all named streets in Salem Road Village; (2) South Strawberry Hill Drive at Granny Smith Lane, South Blackberry Lane at Granny Smith Lane, and South Strawberry Hill Drive at Hafer Road, all named streets in John den Hartog Orchards Estates; and, (3) Upland Drive at Knob Hill Road, Hill Road at Upland Drive, Appleton Drive at Upland Drive, Pennington Drive at Appleton Drive, Pennington Drive at Upland Drive, and Coventry Court at Pennington Drive, all streets in Upland Estates. The Township Solicitor stated that speed limits are by *resolution* and only the stop signs need to be by *ordinance*. There were no comments offered by the attending audience. On a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted that the Township Solicitor be authorized to advertise the following for the posting of stop signs: (1) Roosevelt Drive at Salem Road, Roosevelt Drive at Greene Street, and private right-of-way with Greene Street and Roosevelt Drive, all named streets in Salem Road Village; (2) South Strawberry Hill Drive at Granny Smith Lane, South Blackberry Lane at Granny Smith Lane, and South Strawberry Hill Drive at Hafer Road, all named streets in John den Hartog Orchards Estates; and, (3) Upland Drive at Knob Hill Road, Hill Road at Upland Drive, Appleton Drive at Upland Drive, Pennington Drive at Appleton Drive, Pennington Drive at Upland Drive, and Coventry Court at Pennington Drive, all streets in Upland Estates. Further, on a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted to approve Township **Resolutions** for speed limit of 25 mph on all aforementioned streets including Summer Breeze Lane and Spring Mist Lane, beginning with Township **Resolution No. 22-2010**.

The Board reviewed correspondence received from the Franklin County Drug Task Force respectfully requesting the Township to continue with their annual contribution. The requested amount for 2011 is \$3,799.77. 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 from Franklin County Drug Task Force for a donation of \$3,799.77 be granted for FY 2010/2011.

The Board reviewed the Fayetteville Volunteer Fire Department Fire Police Monthly and Year-to-Date Reports as submitted. It was consensus of the Board the Reports be accepted as presented and become part of the official record.

The Zoning Officer reviewed the Monthly Zoning Office Report for September 2010. It was consensus of the Board the Monthly Zoning Office Report be approved as presented and become part of the official record.

The Board reviewed a presentation by Mr. Larry Lahr and Mr. Dennis Black regarding a request for zoning map change for Trinbar, LLC; said properties (more than one property involved) consisting of approximately 2.66 acres located at the southeast intersection of U.S. Route 30 and Route 997 (Anthony Highway). Mr. Lahr first thanked the Board for placing them on the Agenda and proceeded to explain the request for zoning map change and that he and Mr. Black were in attendance as representatives for Trinbar, LLC. Mr. Lahr stated traffic has increased in this vicinity and this would suggest the land could be better used as a commercial property and due to its location; it does not have a residential quality. Mr. Lahr reviewed all his comments on lengthy correspondence (included with this Agenda for their review) previously received by the Township regarding the background, transportation characteristics, and land use characteristics. Mr. Lahr and Mr. Black requested the Board to conduct a public hearing to gain input regarding the proposed zoning change. Supervisor Burns inquired as to the zoning of the surrounding area to which the Zoning Officer noted where the Highway Commercial zoning is located in the area surrounding this property. Mr. Black then displayed a large plan showing the current zoning in the area and discussed with the Board the types of homes in the immediate area. Supervisor Burns asked if it would be the intent of the developer to combine the properties located on all of this area and both Mr. Lahr and Mr. Black responded 'yes'. Mr. Black also stated the reason for the requested change as far back on Anthony Highway as being depicted was because of the ingress/egress of the property. The Zoning Officer reminded the Board this request had been made in the past and copies of correspondence relative to that was also included with this Agenda for their review and information. The Township Solicitor inquired as to how long this property had been vacant. Mr. Lance Kegerreis stated he believed someone had lived in the house until recently but the gas station portion could have been vacant as many as 20+ years. The Chairman stated his largest concern was the ingress/egress and a very critical aspect of the request. Mr. Black stated it could be a good time to address the intersection issue to improve and he and Mr. Lahr stated they understood they would have the responsibility to address the issues and meet all requirements of both the Township and PennDOT. Mr. Black also stated there may be a possibility they could go farther back on Anthony Highway. Mr. Black further noted they have a number of letters in support of the proposed change. Mr. Kegerreis stated that previously the proposed request had been immediately adjacent to the (Greenwood Hills) Bible Conference property but the Conference had purchased a 50-foot buffer they now have which they did not have before. Supervisor Brookens asked if there was a proposed use in mind and Mr. Kegerreis stated not in particular at this time. Mr. Black stated there have been various interests but it would have to be highway commercial. Supervisor Burns asked if they had considered another use other than Highway Commercial and Supervisor Brookens

inquired in continuing a more intense residential. Mr. Black stated the property was more suitable as Highway Commercial because of its location. The Board briefly discussed allowing the developer to submit a zoning map change which would then be referred to the Township Planning Commission for their review and comments. The Township Solicitor suggested the Board, if they so desired, could invite the developer to submit a formal application. Following review and discussion of the request, on a motion by Travis L. Brookens, seconded by Todd E. Burns, and by a vote of 3-0, the Board unanimously voted to authorize Trinbar, LLC to submit a formal application for a zoning map change for consideration by Greene Township.

The Zoning Officer presented correspondence from Curfman & Zullinger Surveying, Inc. on behalf of the Dana Funk Land Development Plan requesting a waiver of Greene Township Code 85-51.A, Requirement to Install Sidewalks, for said Plan noting there were no other sidewalks located on Rowe Run Road. 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 to waive sidewalk requirements in the Township Code 85-51.A be granted to the Dana Funk Land Development Plan.

At this time, the Chairman recognized several students in attendance at this Meeting and asked (them) to introduce themselves. The students proceeded to introduce themselves, school attending (both college and high school), and indicated what course they were taking that required them to attend a meeting such as this. On behalf of the Board, the Chairman welcomed the students and questions they may have during the Meeting or afterwards. He also asked they be sure to sign the Attendance record sheet before leaving.

The Zoning Officer presented a request for waiver of Greene Township Code 101.5, Minimum Setback Distance from Well, submitted by Centura Associates on behalf of Chambersburg First Church of God. The Township Engineer, Gregory Lambert, stated it is rather minor in nature and could see no problem with granting the waiver. 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 101.5, Minimum Setback Distance from Well, for the Chambersburg First Church of God be granted.

The Zoning Officer presented a request for bond release from Brechbill & Helman Construction Company, Inc., on behalf of the Cumberland Valley Animal Shelter. The Township currently holds a bond in the amount of \$23,815 for stormwater improvements. Mr. Lambert stated he had visited the site and there has been quite a bit of work completed to date and would recommend the bond be released. 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 bond release for the Cumberland Valley Animal Shelter be granted.

The Zoning Officer presented a request for bond release from FCADC (Franklin County Area Development Corporation) for DeeTag located in the Cumberland Valley Business Park. Mr. Lambert stated he had visited the site, made the necessary inspections, and noted the items completed. He, therefore, would recommend the bond in the amount of \$82,225 be released back to the FCADC. 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 bond release from FCADC/DeeTag in the amount of \$82,225 be granted.

The Zoning Officer presented a request for bond release for Green Valley Estates, Phase III. The ZO stated the request is for a release of the full amount of \$53,927 currently being held by the Township. Mr. Lambert stated he had visited the site and inspected a temporary sediment basin which has not been completed, therefore, he recommended the Township retain \$8,470 to complete the work needed. Supervisor Burns inquired as to the conversion of the temporary sediment basin and Mr. Lambert stated there are lots that have to be filled in but can only convert when the areas have been stabilized and approved by Franklin County Conservation District. The Chairman asked both the Zoning Officer and Township Engineer regarding speed limits in this development, when the plan was approved, and if the speed limit signs should be included and the Zoning Officer stated there was no ordinance prior to the plan being submitted for reimbursement of the signs. The Township Engineer stated that after making his inspection, he recommended the Township retain \$8,470 for the final detention basin and completion of the basin outlet structure. 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 request for bond release for Green Valley Estates, Phase III, be granted in the amount of \$45,457 to be released with retainage of \$8,470 and the release will not be made until the \$8,470 new bonding is received by the Township.

The Zoning Officer presented a request for bond reduction from Martin & Martin, Inc. on behalf of IESI Blue Ridge Landfill; request a reduction of \$7,023.50 (reduce current \$48,708 to \$41,684.50). The Township Engineer stated he had visited and inspected the site and found the request to be justified, therefore, he recommended the current be reduced a total of \$7,023.50 (current \$48,708 reduced to \$41,684.50). Following review and discussion, 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 bond reduction from IESI Blue Ridge Landfill be granted reducing the current bond of \$48,708 by \$7,023.50 to a total of \$41,684.50 to be retained by the Township.

The Zoning Officer presented a 1-lot Final Land Development Plan regarding property being utilized by Dana Funk; property located along Rowe Run Road; proposed expansion of existing farm operation. A copy of the *Approval Checklist* was distributed to each Board Member for their reference and comments were as follows: Franklin County Planning Commission – reviewed with no comment (9-27-10); will utilize existing on-lot well; Franklin County Conservation District noted as ‘adequate’ (10-5-10); Township Engineer and Planner both reviewed plan and noted as ‘ok’ (10-12-10); plan reviewed by Township

Planning Commission and recommended approval subject to engineering comments (10-4-10). Mr. Lambert stated that all comments have been addressed that were presented at the Planning Commission Meeting. He further noted that a construction estimate of approximately \$1,405 to complete the required small earthen stormwater improvement. Following review the Township Engineer recommended a bond in the amount of \$2,370 be retained as guarantee of the stormwater facilities. 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 Dana Funk 1-lot Final Development Plan be approved with one condition that bonding amount of \$2,370 be posted before the plan is released from the Township office.

There were no further comments offered by the Township Solicitor.

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 as follows: Check Numbers 15872 through 15891, inclusive, to be paid from the General Fund; Check Number 1432 to be paid from the Electric Light Fund; and Check Numbers 1867 through 1869, inclusive, to be paid from the Liquid Fuels Fund.

There being no further business before the Board for this Meeting, the Chairman adjourned at approximately 8:20 P.M..

Respectfully submitted,

Secretary