

October 22, 2019
Scotland, PA 17254
Regular Meeting

The Greene Township Board of Supervisors held their Regular Meeting on Tuesday, October 22, 2019 at the Township Municipal Building, 1145 Garver Lane, Scotland, PA.

Present:

Todd E. Burns

Travis L. Brookens

Shawn M. Corwell

Daniel Bachman

Diann Weller

Welton Fischer

Visitors: See list

The Chairman called the Meeting to order at approximately 12:00 Noon, noting the meeting was being recorded for accuracy purposes.

The Minutes of the Regular Meeting held October 8, 2019 shall stand approved and become part of the official record.

The Zoning Officer presented the Mann Investments, Storage Units, Final Land Development Plan for re-approval due to a plan revision regarding the driveway location. He stated the plan was approved previously and one of the conditions of that approval was that a HOP (Highway Occupancy Permit) hadn't been issued from PennDOT yet and the bond be posted. PennDOT did not like where the driveway was proposed to be located and wanted it moved further east to align with a driveway entrance across the street. The original conditions placed by the previous approval would need to be upheld. 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 re-approve the Mann Investments, Storage Units, Final Land Development Plan due to the driveway re-location with conditions that all previous conditions for the original approval be kept in place.

Glenn Shetter, 3353 Interchange Drive, addressed the Board stating that several neighbors who have toddlers and small children asked if he would ask the Board for some type of assistance regarding traffic issues on both Interchange and Fairview Drives. They request if anything can be done to slow down the traffic; speeding both on Interchange off Black Gap and on Fairview to Interchange. Mr. Shetter stated there is a stop sign on Valley View Drive at Fairview which only stops traffic when proceeding straight through, however, allows traffic to continue without stopping when turning right. The speed limit in the area is 25 mph but Mr. Shetter stated he is sure they are doing more than the legal limit. The neighbors asked him to ask the Township to do something to try and calm the traffic considering all the children in the development. Mr. Shetter informed the Board he would be willing to have a "traffic speed indicator light" placed in his yard. He stated that whatever assistance the Township could offer would be greatly appreciated by all concerned. He thanked the Board for their time.

The Chairman noted it was that time of year again when grant funding requests are to be accepted by the State. He stated the Township did not receive in the past for certain projects but the Township will continue to make progress in that area and will try again by submitting a funding request. Namely, it will be in regard to the North Chambersburg Improvements Project Phase II which is the connection of Fifth Avenue Extended to Kohler and Walker Roads intersection and the roundabouts in the area. Ms. Shelly Chilcote, GMS Funding Solutions and

consultant for the Township regarding funding requests, addressed the Board noting the Application for the Multimodal Transportation Fund Program Grant will be forwarded to PennDOT for consideration and needs to be submitted by November 8. She also noted this request involves the extension of Fifth Avenue to Kohler and Walker Roads stating the traffic signalization was approved earlier this year and now requesting funds from PennDOT to complete the project. Supervisor Brookens inquired if CFA (Commonwealth Financing Authority) funds might be able to be utilized. Ms. Chilcote stated that CFA funding opens next spring but the Township just received approval. Supervisor Corwell noted success in the past and felt it was a good idea to apply again and the projects are very beneficial for the traffic in that area and already have plans in place and agree with applying for funds. 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. 19-2019** regarding the Township's formal expression of support for the North Chambersburg Improvements Project, Phase II, authorizing the filing of an Application for Multimodal Transportation Fund Program Grant, and authorize designated Township officials to execute the Grant documents for same.

The Chairman noted the Township has traffic permits being applied for other parts of the area near Kohler and Walker Roads and this latest Application for Traffic Signal Approval being presented is for that intersection. Supervisor Corwell stated he had spoken with the Township Engineer, who was unable to attend this Meeting, and he wanted the Board to be aware this is the first step in the entire process with attaching a Township Resolution to this Application. He further noted this could also involve state and federal funding so it could be a long process and this is the first step in reaching that goal. 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 adopt Township **Resolution No. 20-2019** regarding the Application for Traffic Signal Approval Permit to PennDOT for new traffic signal at Kohler and Walker Roads; and, authorizing Board Chairman, Todd E. Burns, to sign and submit same on behalf of the Board of Supervisors.

The Chairman stated that as part of the Permit Application discussed in the previous item, a Letter of Financial Commitment is required stating the Township would commit the appropriate funds to construct the signal installation within two (2) years of permit issuance and the Township also agrees to operate and maintain the signal on an ongoing basis after the signal is installed. 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 authorize a Letter of Financial Commitment be forwarded to PennDOT regarding the traffic signalization at the intersection of Kohler and Walker Roads.

Supervisor Corwell presented an Easement Agreement from West Penn Power (WPP) requesting the Township to allow PennDOT to encroach on Township property located along Scotland Main Street. WPP requests to move a pole at the property which needs to be moved prior to when PennDOT begins reconstruction work on Scotland Main Street. He stated he had met with WPP on location and discussed several areas where the pole could be moved but WPP could not place it where he preferred; it will still be located on Township property but will be closer to adjacent property. The Township Solicitor reviewed the proposed easement and was satisfied. Supervisor Corwell stated that PennDOT was in a hurry and this was the last easement

needed for this project. 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 adopt the West Penn Power Agreement for Scotland Main Street Project outlining the pole replacement easement for that project and authorize signature of the Agreement.

Supervisor Corwell presented an amendment proposed by the PMHIC (Pennsylvania Municipal Health Insurance Cooperative) to its current Agreement. The Township belongs to the PMHIC for health insurance coverage. The proposed amendment would be in regard that for example if it were found that an employee's grandchild were on the policy the member would be responsible for reimbursing the employer for that ineligible expense. This is the second year the Township has been a part of that Cooperative. The Chairman noted this situation was not in the Township but found in other members of the Cooperative. 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 PMHIC (Pennsylvania Municipal Health Insurance Cooperative) Agreement as amended.

Supervisor Corwell presented a bond release request on behalf of the Township Engineer who was unable to attend this Meeting. The request was received from PA Real Estate Settlement Services, LLC for Grand Point Crossing (Development) for a cash security in the amount of \$50,000 placed for road construction. He stated that deficiencies had been found and were corrected last week. The roads were then inspected by the Township Engineer who found the surfaces had been made acceptable and recommended the security be released that was being held by the Township. 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 the request for release of the \$50,000 cash security to PA Real Estate Settlement Services, LLC on behalf of Grand Point Crossing (Development).

The Chairman presented several quotes for one (1) new Wheel Loader to be purchased off State contract. He stated the Township currently has a John Deere 544 which is approximately fifteen (15) years old and the Township is looking to replace with a new model. He asked Supervisor Corwell to continue. Supervisor Corwell presented and reviewed the bids received as follows: Highway Equipment & Supply Co. (Volvo) - \$144,423 (includes discount, trade-in, price for grapple bucket); Cleveland Brothers (Caterpillar) - \$175,967; John Deere - \$129,876.70. He stated the Volvo price was better than others received and the John Deere model was actually smaller in size and did not have the same options as others and when comparing prices, options, etc it was found that Volvo was a better price. In addition, several Township employees operated the Volvo model and were pleased with its handling, etc. The model is a 2020 but would not be delivered until next year; dealer has one in stock at present that they are willing to hold as long as the proper documentation is signed. The purchase was not included in the 2019 Budget due to other equipment being purchased so the cost would need to be taken from the 2020 Budget. The Township's current model has begun having more problems with numerous repairs and rusting. He would agree with placing a down payment to hold the Loader, the selection of Volvo, and does not see any large purchase for next year. The Chairman stated the Township currently only has one other Volvo that is used at the Compost Facility every day; a great machine and any minor issues experienced by the Township, Volvo has responded immediately and many times there has not been a charge to the Township to make repairs and have received great service. Supervisor Brookens inquired if the Township's

current model had any attachments that may have been purchased with the Compost grant (monies). It was not known either way but will be checked prior to final purchase. Following review and consideration of all bids received, on a motion by Shawn M. Corwell, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted to purchase one (1) new Volvo L70H Wheel Loader off State Contract from Highway Equipment & Supply Co. with delivery in 2020 and a down payment in 2019 for a total cost of \$144,423 as presented.

The Chairman presented for consideration information regarding the purchase of a 4,000-gallon used and refurbished 2008 Freightliner Truck. The truck had a different purpose previously but has been converted for water capabilities. The truck is available for purchase from Cassone Truck Sales, a used truck dealer in New York. It is not on State Contract but has multiple uses for the Township, such as the capability of carrying liquid (brine) in winter. He stated the (Guilford) Water Authority had a truck but it was different which they no longer use to flush the system and got rid of it. The Township now has no way of flushing out pipes, withdraw water from a pond or stream where needed, supply water during road construction and paving, etc. During road construction the water would be applied to the blacktop to cool it down and finish it for traffic to use sooner. Another use would be on walking trails to compact stone. He further described the truck as an automatic (transmission) with similar engine as other two (2) Freightliners currently being used by the Township with comparable horsepower. He stated the Township would perform an on-site test as well as a driving test and inspection before any final purchase. It was noted the price is still being negotiated since it is a 2008 and hopefully able to obtain a lower price. The Chairman stated the dealer seems willing to negotiate. Supervisor Brookens stated he felt it would be a good purchase if everything would check out satisfactorily. He further noted the Township would certainly have the different instances where it could be utilized whether winter or summer and lately having more problems with flushing pipes. The Chairman noted the tank would be permanently attached as opposed to the Township's other Freightliners' beds that need changed out for various uses. This would be good whereas a driver would not have to change from one bed to another to get back into winter maintenance saving time; the driver would leave this truck and could immediately go to another and save 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 consider the purchase of a used water truck as presented with conditions that an inspection be performed by Township personnel as well as driving and handling of the truck before the purchase is complete and also that a maximum expenditure of \$60,000 be made.

Supervisor Corwell presented a quote to replace a portion of fencing at the Township Compost Facility. The fencing will include two (2) new gates that would roll rather than having to lift from ground and move which has caused injuries to fingers and hands. They would be placed at the exit of the Compost Facility and moved on an angle to aid in site visibility when exiting the Compost onto Mickey Inn Road. The gates would be the same as those currently located on Township property at Letterkenny and would be easier to move during winter; would match the existing chain link fence; several existing posts will be re-used. The quote of \$5,185 for the total project was received from R Perry Fence Company. The Chairman noted this is a good time to have this work performed and would create better visibility. It would be difficult to move the fencing back into the Facility property where it would not be an issue because a lot of the capacity would be lost on site and would allow more space along the roadway for dumping of trash which has been a problem for the Township. 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 replacement of a portion of fencing and gates from R Perry Fence Company in the amount of \$5,185 as presented.

The Chairman noted the Township provides a donation to the Cumberland Valley Animal Shelter each year for their services they provide to the Township (i.e. strays, cruelty investigations, etc); doing a great job. He stated the donation is very well deserved and important to support the Shelter for their work not only in Greene but also the entire County. He noted a recent e-mail he received regarding an incident, not in the Township, where the Shelter removed numerous animals from a property involving many man-hours, supplies, etc at great expense, stating it is a shame they have to respond to cruelty investigations but are doing a good job. Supervisor Corwell agreed with the Chairman's comments and noted that on the emergency management side the Shelter is utilized during fires, flooding, etc and always respond. 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 release of the annual donation of \$16,000 to the Cumberland Valley Animal Shelter.

Mr. Tim Cormany, Township Planner, distributed and presented a memorandum (memo) outlining three (3) proposed zoning map amendments in conjunction with previous discussion and adoption of the Township's Comprehensive Plan Update as well as much discussion with Township officials and staff over the last several weeks. (Mr. Cormany's memorandum and accompanying maps shall be made a part of these Minutes.) The properties to be affected by these proposed amendments are all in the same sector of the Township extending from the Sunset Pike area to Greenvillage and along the north side of Route 11. The memorandum outlined what the amendments are and what would need to be done if the Board wishes to accept them. The memo also included two (2) maps; one showing the existing zoning and the other showing what is proposed. The one area in Greenvillage depicts a very small portion zoned as "CC" (Community Commercial) which at one time was a market and now is used as a church. It is proposed to be changed from CC to R-2 (Medium Density Residential). It remained as CC due to the market and all properties were under one ownership. The area is surrounded by residential and this portion of approximately 4.5 acres now being used as a church which is a permitted use in the residential zoning district. The second section to be changed would be two small existing areas from HC (Highway Commercial) to LI (Light Industrial); several inquiries have occurred for that area as to possible changes; only the front portion of three of the properties would remain HC. The third proposed amendment would involve properties owned by two different owners. One being the Ocker tract proposed to be changed from current LI portion to HC along Route 11 frontage. The other being a large portion along Route 11 to be zoned TC (Transitional Commercial); primary property consists of 87 acres and owned by Frank & Mark Flohr; property is currently zoned both HC and LI; proposed amendment would move the LI portion to the TC district. Such amendment would afford additional protections for the developing residential neighborhood to the north of the property and provide a more natural transition of development intensity between the Sunset industrial area and the growing number of households on the outskirts of Greenvillage. This change would also impact two smaller triangular adjacent parcels of LI zoning; both parcels are under one ownership consisting of 4.54 acres; amend to HC zoning in their entirety. Following Mr. Cormany's presentation, the Chairman noted the proposed changes make sense from a zoning perspective and the Board must now consider what further steps to take. Supervisor Brookens

noted that if the intent is to extend the buffer between industrial and residential, the Board may want to consider extending the residential boundary farther due to continued residential housing off Route 11 and the possibility of a larger industrial use being placed right next to residential homes. He further noted that PennDOT may want to see the zoning district line up along Route 11 across from Farm Credit Drive while still a vacant property and make necessary changes now to protect any further residential development. Mr. Cormany stated the next step would be to present to the Township Planning Commission for their review and any comments; final step would be to hold a public hearing regarding the proposed amendments. He further explained the proposal would need to be reviewed by both the Township and Planning Commissions within thirty (30) days before a public hearing is held. The Chairman noted it is a lengthy process before anything final would be decided; good idea to move forward; need input from affected property owners as well. It was noted the next Township Planning Commission meeting is scheduled to be held Monday, November 4. Mr. Cormany will attend the Township Planning Commission meeting and in addition will forward the proposed amendments to the County Planning Commission for their input but first will receive input from Township Planning Commission. The Board directed Mr. Cormany to not submit to the County until after the Township Planning Commission has met and reviewed the proposal.

The Township Solicitor noted to the Board of a recent U.S. Supreme Court case of zoning concerning signs. He stated the case involved a religious group wanting to put up multiple signs but were not permitted but other signs were (i.e. election, etc). The Court stated you cannot judge on what the sign says. Supervisor Brookens asked the Solicitor what he found in the Borough Ordinance. The Solicitor stated one item he found in the Borough Ordinance was they had areas where there were offsite signs advertising a business. He used a general example that if a church did not have a definite site but several, the Court stated you can regulate the size and location but you cannot say the church could not have signs if others could; i.e. if election signs were allowed, you have to allow others to do the same. The kind of regulations that will remain is the size and location, things a zoning ordinance would regulate. If the regulation attempts to distinguish on different types of sign then you offend the Constitution. The Solicitor will continue to research this matter further.

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 27998 through 28028, three (3) credit card payments, and two direct deposits, inclusive, to be paid from the General Fund; Check Numbers 3577 through 3579, inclusive, to be paid from the Liquid Fuels Fund; and, Check Number 2186 and one direct deposit, inclusive, to be paid from the Electric Light Fund.

There being no further business to be presented at this Meeting, the Chairman adjourned at approximately 1:22 P. M..

Respectfully submitted,

Secretary