

November 28, 2017  
Scotland, PA 17254  
Regular Meeting

The Greene Township Board of Supervisors held a Regular Meeting on Tuesday, November 28, 2017 at the Township Municipal Building, 1145 Garver Lane, Scotland, PA.

Present:

Todd E. Burns

Travis L. Brookens

Gregory Lambert

Diann Weller

Welton Fischer

Visitors: See list

The Chairman called the Meeting to order at approximately 7:00 P. M. noting the number of school students in attendance. He reminded all visitors to be sure they signed in on the appropriate form. He further informed the students to feel free to ask any questions during the evening's proceedings or ask after the Meeting.

The Minutes of the Regular Meeting held November 14, 2017 shall stand approved as presented and become part of the official record.

There was no public comment presented at this time.

The Chairman noted receipt of an annual form letter from Smith Elliott Kearns & Company (SEKCO), LLC (Chambersburg) to provide professional services to prepare the Township's Annual Financial Report (Form DCED-CLGS-30) for year ended December 31, 2017. He stated that SEK has performed the Township's audits for a number of years including this DCED report. On a motion by Travis L. Brookens, seconded by Todd E. Burns, and by a vote of 2-0, the Board unanimously voted to approve Smith Elliott Kearns & Company to provide their services for the Annual Financial Report (Form DCED-CLGS-30) for year ended December 31, 2017, and authorize the Chairman to sign the letter of understanding on behalf of the Board of Supervisors.

The Chairman noted receipt of a second annual form letter from Smith Elliott Kearns & Company (SEKCO), LLC (Chambersburg), to provide third-party administration and compliance services in connection with the Greene Township Pension Plan for year ending December 31, 2017. On a motion by Travis L. Brookens, seconded by Todd E. Burns, and by a vote of 2-0, the Board unanimously voted to approve Smith Elliott Kearns & Company to provide third-party administration and compliance services in connection with the Greene Township Pension Plan for plan year ending December 31, 2017, and authorize the Chairman to sign the letter of understanding on behalf of the Board of Supervisors.

The Chairman noted receipt of a third annual form letter from Smith Elliott Kearns & Company (SEKCO), LLC (Chambersburg), to provide services in connection with the Greene Township Section 457 Plan for plan year ending December 31, 2017. On a motion by Travis L. Brookens, seconded by Todd E. Burns, and by a vote of 2-0, the Board unanimously voted to approve Smith Elliott Kearns & Company to provide services in connection with the Township's 457 Plan for plan year ending December 31, 2017, and authorize the Chairman to sign the letter of understanding on behalf of the Board of Supervisors.

The Township Engineer presented a request as received from H. C. Gabler, Inc. for release of security in the amount of \$30,481 for their Phase 2B Building Expansion, Project #14-005. The security has been held for stormwater improvement guarantee that was established as a part of the Land Development Plan approval in June 2014 for their building expansion located at the corner of Opportunity and Technology Avenues. The Engineer stated the project was completed in 2015, the Township has been holding the outstanding cash security, and recently received request for release. The Engineer stated he has inspected the site and all matters (stormwater improvements, stormwater basin, vegetated swale, level spreader, and filter strip) have been completed satisfactorily and would recommend release of the \$30,481 cash security to H. C. Gabler, Inc.. Supervisor Brookens confirmed the Township was holding cash and would need to cut a check and the Engineer stated 'yes'. On a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 2-0, the Board unanimously voted to grant the request for release of security in the amount of \$30,481 to H. C. Gabler, Inc., for their Phase 2B Building Expansion, Project #14-005.

The Township Engineer presented a request as received from H. C. Gabler, Inc. for release of security in the amount of \$2,760 for Cumberland Valley Business Park (CVBP) Parcel 8, Project #15-011. The security has been held for stormwater improvement guarantee as part of the Land Development Plan approval in July 2015 for the product shelter located at the corner of Opportunity and Advantage Avenues. They had needed to install water quality inlets underneath the shelter and posted a cash bond in the amount of \$2,760. He stated the water quality inlets have been installed, have inspected them, and found to be satisfactorily installed, therefore, would recommend release of the \$2,760 cash security to H. C. Gabler, Inc.. Again, Supervisor Brookens confirmed this was another cash bond and the Engineer stated 'yes'. On a motion by Travis L. Brookens, seconded by Todd E. Burns, and by a vote of 2-0, the Board unanimously voted to grant the request for release of security in the amount of \$2,760 to H. C. Gabler, Inc., for Cumberland Valley Business Park (CVBP) Parcel 8, Project #15-011.

The Township Engineer presented a request as received from LIDA (Letterkenny Industrial Development Authority) for release of security in the amount of \$105,307 regarding Parcel 3-89-9, Project #16-021. The security had been posted for the stormwater improvement guarantee as part of the Land Development Plan approval in February 2017 for their commercial building development located at 1686 Opportunity Avenue. He stated the location previously had a cul-de-sac and a driveway was installed for the Roush business. He stated further the stormwater improvements, stormwater basin, vegetated swale, piping, and inlets have all been completed, he inspected them and found to be satisfactorily installed, therefore, would recommend release of the \$105,307 security to LIDA. Supervisor Brookens asked the Engineer if the required work had been completed for some time and the Engineer stated 'no' because the project was only begun in 2016. Supervisor Brookens inquired if this one (security) had been waiting and the Engineer stated 'no' and only completed within the last two months. On a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 2-0, the Board unanimously voted to approve the request for release of security for LIDA Parcel 3-89-9, Project #16-021, in the amount of \$105,307.

The Township Engineer presented a request for refund of remaining plan review escrow as received from H. C. Gabler, Inc. for their Land Development Plan, Project #14-005, in the amount of \$175, noting this escrow request is in connection with Item #7 on this Meeting's Agenda. An original escrow of \$2,500 had been submitted; \$1,184.50 was expended in fees; no retainage being required; a partial refund of \$1,140.50 occurred in August 2014; would recommend release of full refund remaining in the amount of \$175. On a motion by Travis L. Brookens, seconded by Todd E. Burns, and by a vote of 2-0, the Board unanimously voted to approve the request for refund of remaining plan review escrow for H. C. Gabler, Inc. Land Development Plan, Project #14-005, in the amount of \$175, with the check made payable to H. C. Gabler, Inc..

The Township Engineer presented a request for refund of remaining plan review escrow as received from H. C. Gabler, Inc. regarding the Gabler Trucking Land Development Plan, Project #15-011, in the amount of \$175, noting this escrow request was the same as the previous with the remaining amount in the escrow account for Project #15-011. On a motion by Travis L. Brookens, seconded by Todd E. Burns, and by a vote of 2-0, the Board unanimously voted to grant approval for the request for refund of remaining plan review escrow for Gabler Trucking Land Development Plan, Project #15-011, in the amount of \$175, with the check made payable to H. C. Gabler, Inc..

The Township Engineer presented a request for bond reduction for Grand Point Crossing Development, Phase 1, in the amount of \$233,334.88. The request was submitted by Mr. Joe McDowell of Martin & Martin, Inc. on behalf of client, Divinity Investments, LLC, developers of Grand Point Crossing Development. The Engineer stated an original security of \$251,334.88 had been submitted for the remaining Phase 1 improvements noting that street paving construction of portions of Austin Avenue and Somerset Road with the entire length of Hartford Drive have all been satisfactorily completed, as well as completion of a drainage inlet box and piping in said streets. He stated the remaining required work for Phase 1 would be the conversion/completion of Stormwater Basin #1 which is estimated at \$18,000; therefore, he would recommend a reduction of \$233,334.88 in the bond presently being held by the Township and require that \$18,000 be continued to be held until such time the Stormwater Basin #1 is completed. The Chairman asked the Engineer if all other work for Phase 1 had been done to which the Engineer stated 'yes' and further stated a note has been placed on the most recent plan to that effect. The Chairman inquired as to the dedication of streets and the Engineer stated the Township is waiting for a \$50,000 bond to be submitted. The Chairman stated that PennDOT would need to approve the street dedication acceptance yet in 2017 to be eligible for Liquid Fuels monies. The Engineer confirmed stating that if this request is approved at this Meeting he would advise Divinity of what needs to be done next. The Chairman noted that if Divinity did not submit the required securities to the Township, then they will be responsible for maintaining (i.e. snow plowing) of these streets (2017-2018 winter season). Following review and consideration, on a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 2-0, the Board unanimously voted to adopt Township **Resolution No. 21-2017** regarding the request for bond reduction for Grand Point Crossing Development, Phase 1, in the amount of \$233,334.88 with the Township retaining \$18,000 for future stormwater management facilities.

The Township Engineer presented a request from William Sigler, owner of Meadowland Homes, for interim Land Use Occupancy Permit for Lot #67, identified as 2325 Bodie Island Drive, Chambersburg; Greene Township Land Use Permit #17-151. The Engineer stated he had recently visited the site with the Township Zoning Officer for a home occupancy inspection and found that the side corner was encroaching 4-1/2 feet into the rear yard setback due to it being a corner lot. The ZO notified Mr. Sigler of the encroachment to which Mr. Sigler advised the Township that he was already in a position for a contract on the house and the buyer was ready to move in and asked what could be done to allow occupancy. The Engineer stated that an application for the Township Zoning Hearing Board has been submitted and a public hearing scheduled for December 18 (2017) for a determination what needs to be done to comply with the Zoning Ordinance, thus the request for interim Occupancy Permit until the Zoning Hearing Board has an opportunity to hear the appeal. The Chairman asked Mr. Sigler if he had anything further to add to which Mr. Sigler stated he approached the neighboring property with possibly moving a fence but would still not meet the required setback. The Engineer noted the lot is odd-shaped, located on a curve in the roadway, and difficulty in stating exactly what is considered side and rear yard areas. Supervisor Brookens stated that as a former Zoning Officer it was difficult to determine which was side and which was rear (yard) in view of this lot. Supervisor Brookens asked Mr. Sigler if the home was occupied at present and Mr. Sigler stated the home is scheduled to be occupied December 1 and that the new owner has to be out where he resides currently. The Chairman noted this is not the first time for this type of request but only a few cases similarly in the past. He stated he could not say what the Zoning Hearing Board decision would be but because the lot is irregular and hopefully there will be some resolution to be worked out but needed to stress that if the ZHB did not approve the request for setback variance then other steps will need to be taken and the Chairman noted what would happen in that case; he just wanted to be sure that Mr. Sigler and others involved were aware of the process. He further noted that if matters were not worked out by the ZHB, it could be eviction of the home because it would be occupied illegally; it does not happen often but must follow Township rules and regulations. Supervisor Brookens asked the Township Solicitor how much time the Board could allow regarding this request. The Solicitor stated there was no standard time but enough time to be presented to the Zoning Hearing Board and they usually render a decision at the time of the meeting; suggested thirty (30) days to ensure time for the Zoning Hearing Board to hear appeal and render a decision. Supervisor Brookens noted that perhaps if the ZHB does not render a decision at the meeting, it may need to be a longer time. The Solicitor then suggested sixty (60) days. Supervisor Brookens stated he did not have any problem with persons moving into the home but again all concerned must understand the process that must occur. The Chairman stated he thought that sixty days had been given to a prior request and was sympathetic to the issue but must make sure that everyone understands and does not take this lightly. Mr. Sigler understood and had no further questions for the Board; no further discussion or questions were presented by Board Members. Following review, discussion and consideration, on a motion by Travis L. Brookens, seconded by Todd E. Burns, the Board unanimously voted to grant the request for interim Land Use Occupancy Permit for Lot #67, 2325 Bodie Island Drive (Chambersburg) for a period of sixty (60) days to allow the Zoning Hearing Board process to take place and render a decision regarding the home being temporarily occupied. The Chairman noted that if the ZHB did not render a decision immediately, it is possible the sixty days could be extended if further issues would occur.

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

The Board discussed and considered a personnel position in the Park and Recreation Department. Supervisor Brookens, Director of Park and Recreation, explained that the position of Park Facility Manager is not required full-time for winter and recommended that position be placed on a lay-off status going forward effective immediately today and also with that the employee will be paid for time off that he has accumulated through sick and/or vacation leave. On a motion by Travis L. Brookens, seconded by Todd E. Burns, and by a vote of 2-0, the Board unanimously voted the Park Facility Manager be placed in a lay-off position effective November 28 (2017) and any sick and/or vacation leave will be paid to that individual.

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

On a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 2-0, the Board unanimously voted to authorize the payment of invoices as follows: Check Numbers 26013 through 26027, one online payment, one direct deposit, one credit card payment, inclusive, to be paid from the General Fund; and, Check Numbers 3406 through 3409 and one direct deposit, 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 7:43 P.M..

Respectfully submitted,

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Secretary