

December 11, 2012
Scotland, PA 17254
Regular Meeting

The Greene Township Board of Supervisors met in regular session Tuesday, December 11, 2012 at the Township Municipal Building, 1145 Garver Lane, Scotland, PA.

Present:

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

Gregory Lambert
Diann Weller
Welton J. Fischer

Visitors: See list

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

The Chairman noted the presence of several students in the audience and asked they introduce themselves. Following their introductions, he informed the students that if they had any questions during the Meeting to feel free to ask or if they preferred, they could wait until afterwards and ask.

The Minutes of the Public Hearing held November 27, 2012 regarding *Vacating Portion of Grandpoint Road* shall stand approved as presented.

The Minutes of the Regular Meeting held November 27, 2012 shall stand approved as presented.

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

The Township Solicitor presented a proposed Workman's Compensation (WC) Agreement with Franklin Fire Company for the Board's consideration. He stated the law requires municipalities to provide WC to volunteer fire companies that are located and first due within their boundary. Although the Franklin's are located within the Borough (of Chambersburg), they are not first due in the Borough but serve the Townships of Greene, Hamilton, and Letterkenny. Supervisor Burns asked if coverage is for only one year and would they have to approve it annually and the Chairman stated that if the Borough would desire to add the Franklin's as first due then a calculation would be done to re-assess each municipality its appropriate share. The Solicitor noted on page 5 under Miscellaneous, paragraph A, fifth line down with the sentence that begins "Thereafter ...", it states the Agreement renewing annually unless any party gives advance notice of changes. Supervisor Burns stated he was ok with this. 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 Workman's Compensation Agreement with Franklin Fire Company and Greene Township and other municipalities be approved and the Board of Supervisors be authorized to sign; and, further, the Township Treasurer be authorized to forward a check in the amount of \$8,776 to the Franklin Fire Company for the Township's share of the total payment due.

The Chairman presented a proposed Lease Agreement between LIDA (Letterkenny Industrial Development Authority) and Greene Township regarding the Township's use of a salt dome on the former Letterkenny Army Depot property. The Chairman stated the Township had first entered into an agreement with the federal government regarding the salt dome but now the federal government is getting ready to turn the property over to LIDA. Eventually once that property is turned over to LIDA, it will then be turned over to the Township. 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 Lease Agreement between LIDA and Greene Township for the use of a salt dome be approved and the Chairman be authorized to sign on behalf of the (Board of) Supervisors.

The Township Solicitor presented a proposed Sales Agreement regarding the purchase of the former Scotland School for Veterans' Children stating he had spoken to the attorney for the party wishing to buy the property. He stated that right now the State has an agreement with GTMA (Greene Township Municipal Authority) that allows 150,000 gallons per day of sewage to be dumped; said agreement goes with the School and he is thinking the party won't need that much and this agreement would allow that change. He further noted that part of the purchase price would be paid turned back to Greene Township to upgrade some of its sewage facilities in the Fayetteville area. He said there is no guarantee the State will agree with that but it is hoped. Supervisor Burns asked that while looking through the agreement and in reference to what the Solicitor stated, he was concerned that in order for the agreement to go through what happens with the agreement. Another concern is the agreement does not outline any coordination with the Municipal Authority in selling the additional capacity and perhaps that should be something the Supervisors should pursue or at least have discussion with the other party. He noted the Township is under order by PA DEP and if the new owner could sell the extra (taps) under certain fees set by DEP they could sell the taps at what they can get rather than the fees currently being used by the Municipal Authority. Supervisor Burns stated he didn't think this was the purpose of this agreement and that it should be refined and defined differently and seems a more sound practice to have some coordination with GTMA. The Solicitor stated he does not see any evidence either way, if the State would or would not allow. Supervisor Brookens also voiced his concern with a third party setting sewer rates. The Solicitor stated that once this (agreement) is signed there is no guarantee of anything coming back to the Township. The Chairman suggested tabling this agreement at this time noting the Board does not feel comfortable with the agreement as it presently stands. He felt it (agreement) needs to be discussed among all parties. Following a lengthy 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 sales agreement regarding the former Scotland School for Veterans' Children property be tabled until such time the Township can meet with all parties and set some protections for the Township.

The Board reviewed the Fayetteville Volunteer Fire Department Fire Police Monthly (November 2012) and Year-to-Date Reports as submitted. Following their review, it was consensus of the Board the Reports be accepted as presented.

The Township Engineer presented a request for refund of remaining plan review escrow balance for the Michael Hurt Subdivision, Project #11-021, in the amount of \$1,256.00. He stated the project was located along Route 11 and had been approved by the Board. He further noted that construction of the project has been on-going with a Certificate of Occupancy issued for the main building and he has inspected the stormwater on site. The original escrow amount posted was \$2,500 and when the balance fell below the minimum required, an additional \$350.50 was posted; total fees expended was \$1,594.50; no amount to be retained; therefore, the remaining balance of \$1,256 could be refunded and he recommended same. The Chairman asked if all bills have been paid and all fees submitted and the Engineer stated 'yes'. 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 remaining plan review escrow balance for the Michael Hurt Subdivision in the amount of \$1,256 for Project #11-021 be returned to Michael Hurt.

On behalf of the Zoning Officer who was absent from this Meeting, the Township Engineer presented the Monthly (November 2012) Zoning Office Report. Following the Board's review of the Report, on a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously approved the Monthly Zoning Office Report be accepted as presented.

On behalf of the Zoning Officer who was absent from this Meeting, the Township Engineer presented the three plans to be presented at this Meeting. The first plan he presented was a 1-lot Final Subdivision Plan for Stanley Burkholder; property located along Grandpoint Road; propose to subdivide a lot from the main parcel along Grandpoint Road. 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 (12-4-12); Non-Building Waiver Form submitted to Township Sewage Enforcement Officer (SEO) (12-6-12); Plan reviewed by both Township Planner and Township Engineer and noted two (2) outstanding issues that need to be resolved before consideration with their comments attached to the *Checklist*. He stated this is a pan-handle lot and there is a right-of-way that goes back through the portion being subdivided and there are some provisions for the right-of-way that need to be handled. The Township Solicitor stated there is a separate agreement which is being recorded that he has reviewed and approved, thereby the Township only needs to receive proof of recording and stated it does not have to be noted on the plan. He stated that originally a note was placed on the plan so that two separate documents did not have to be recorded; there does not have to be a note on the plan. He stated that if anyone was checking at the Court House regarding this plan there would be a reference of the separate document. The Engineer noted the Non-Building Waiver request is under review by the Township SEO at the present time. The Solicitor asked the engineer for the developer if the agreement had been recorded and the engineer stated that as soon as it is recorded, the recording note will be put on the plan. Supervisor Brookens referenced the Non-Building Waiver and asked if this was intended to be a building lot. The developer's engineer stated the property owner wanted to convey the farm to his son before end of year but wanted to get this lot out before and

because of the wait to approve a building lot which could take months and time is a matter of importance. The Township Engineer stated the plan was reviewed by the Township Zoning staff with approval recommended subject to a right-of-way agreement (12-11-12). The Township Engineer concluded his presentation by stating he would recommend approval of the plan subject to the two issues being resolved. 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 Stanley Burkholder 1-Lot Final Subdivision Plan be approved with conditions: the plan not be released until such time the right-of-way recording data is placed on the plan, satisfactory review of the Non-Building Waiver by the Township SEO, and at the time of development it would have to meet all State and local regulations.

The Township Engineer presented a 3-Lot Final Subdivision/Lot Addition Plan for Bradley Gsell noting this may be at the highest elevation that a building can be placed in the Township; said property located at the top of Mount Union Road; propose to subdivide for three lot additions to adjoining properties; noted this is a simple lot addition plan. 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 (10-1-12); Form B acknowledged by PA DEP (9-20-12); Plan reviewed by both Township Planner and Township Engineer with their comments attached to the *Checklist*; plan was reviewed by Township Zoning and recommended approval as presented. Supervisor Burns inquired if a non-building waiver was required and the Engineer stated it was not needed because additions are to subdivided lots. The Chairman inquired if there was a note on the plan noting the lot additions cannot be sold separate and the Engineer confirmed the note was on the plan. The Engineer noted that each adjoining property owner had signed the plan and the Chairman asked for the signature dates to which the Engineer replied 11-17, 11-15, 11-16 (2012). 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 Bradley Gsell 3-Lot Final Subdivision/Lot Addition Plan be approved as presented.

The Township Engineer presented a 1-Lot Final Subdivision/Lot Addition Plan for DLL Properties; property located along Sunset Pike; simple one-lot addition to be conveyed to adjoining property. 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 (12-4-12); Greene Township Municipal Authority reviewed with no comment (12-11-12); Form B is not required; plan was reviewed by both Township Planner and Township Engineer with their comments attached to the *Checklist*; plan was reviewed by Township Zoning staff and recommended approval (12-11-12). 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 DLL Properties 1-Lot Final Subdivision/Lot Addition Plan be approved as presented.

The Township Solicitor noted at this time that he had copies of the Workman's Compensation agreement with the Franklin Fire Company and stated he would like signatures of the Board Members this evening after the Meeting so that he could handle by hand-carrying the very next day to the other municipalities involved to complete the process.

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 18386 through 18414, inclusive, to be paid from the General Fund; Check Numbers 2149 through 2151, inclusive, to be paid from the Liquid Fuels Fund; and, Check Number 1504 to be paid from the Electric Light Fund.

There being no further business before the Board for this Meeting, the Chairman adjourned at approximately 7:38 P.M..

Respectfully submitted,
