

December 13, 2011
Scotland, PA 17254
Regular Meeting

The Greene Township Board of Supervisors met in regular session Tuesday, December 13, 2011, at the Township Municipal Building, 1145 Garver Lane, Scotland, PA, following a Public Hearing regarding a Conditional Use Permit request for installation of solar energy conversion system submitted by Jeffrey Hager, 2779 Grandpoint Road.

Present:

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

Gregory Lambert
Daniel Bachman
Diann Weller
Welton Fischer

Visitors: See list

The Chairman called the Regular Meeting to order at approximately 7:11 P.M. following a few minutes' recess held between the Public Hearing and Regular Meeting.

The Chairman noted the attendance of several students and he asked they introduce themselves. He then welcomed them and noted they should feel free to ask questions at any time during the Meeting or afterwards.

The Minutes of the November 22, 2011 Regular Meeting shall stand approved as presented.

Resident Harry Rotz, Rice Road, wished to offer comments regarding the speed limit on Byers Road, neighbors were requesting for possible 40 mph, and he was glad to know the former 25 mph signs were taken down. The Chairman noted that item appeared later on this Agenda and thanked Mr. Rotz for his comments.

The Board reviewed and considered the 2011-2012 Contribution request from the Franklin County Drug Task Force. Supervisor Burns noted the requested amounts were still reflecting 2000 Census figures and needed to be updated to 2010 Census figures. He further stated he would recommend the request for contribution be based on 2010 Census figures for the entire County. The Chairman stated he agreed and noted the increase in population through the County. Supervisor Burns stated the Force provides an invaluable service throughout the County and the contributions that are given go a long way and that later census figures could provide more revenue for the Force and their work. The Chairman further commented that monies go toward drug enforcement and that most municipalities do not have their own police force and that drug action can contribute to other crimes and the requested contributions are a small amount for the services the Drug Task Force provides. Supervisor Brookens inquired if the contribution could be more than what is requested and the Chairman stated 'yes' and this year it was increased. 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 from the Franklin County Drug Task Force for 2011-2012 allocation be granted and the Board would also recommend the District Attorney's office re-configure the (population) figures to reflect the 2010 Census and not the 2000 Census figures which are being used currently.

The Chairman presented quotes received for the purchase of one (1) new copier/printer/scan/fax machine for the Township office building noting that a quote from Xerox (local) came in much lower than Co-Stars pricing. He read the following quotes as received: Xerox (local) - \$7,830.00; WPS (Co-Stars) - \$10,621.04; Xerox (Co-Stars) - \$12,605.00. 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 to authorize that Xerox (local) be awarded the purchase of one (1) new copier/printer/scan/fax machine at the quoted price of \$7,830.00.

The Vice Chairman, Supervisor Todd E. Burns, presented information regarding the Township's intent to purchase several pavilions off State Contract as follows: one (1) 36x72 and one (1) 28x32 for Township Park. He also noted purchase of another pavilion for Northwood Park (former Northwood Mobile Home Park) along Philadelphia Avenue with funds remaining from a grant that was received with remaining portion from General Fund. 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 to authorize the purchase of three (3) pavilions as listed on State Contract at State Contract pricing.

The Chairman stated the Township had recently purchased new pickup trucks and would be selling one or more vehicles through sealed bids to be received by the Township. One vehicle to be sold is a 1997 Ford F-250, extended cab, four-wheel drive. Specifications will be prepared, advertised, and any interested person in submitting a sealed bid may do so. He stated another vehicle may be placed on the sealed bid list but not until another municipality who is interested in purchasing has their Regular Supervisors Meeting and considers the purchase. Because the sale/purchase may occur between two municipalities, the other municipality is not required to submit a sealed bid but may look over the vehicle and then their Board would consider and make a decision at a meeting. Thus, depending upon the decision the other municipality would render, would determine whether the second vehicle was placed on sealed bid. The second vehicle in question is a 2004 Ford Ranger, extended cab, four-wheel drive. The Chairman stated the public may view by calling the Township ahead and scheduling an appointment. 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 to authorize the Township Secretary to advertise the sale of one used 1997 Ford F-250, extended cab, four-wheel drive and depending upon the decision regarding the 2004 Ford Ranger which may also be included in the sealed bids; said sealed bids to be received no later than 3:00 p.m., prevailing time, Tuesday, January 24, 2012, at the Greene Township Municipal Building, 1145 Garver Lane, Scotland, Pennsylvania; then, bids to be opened and read aloud at the Supervisors Regular Meeting to be held that same date at 7:00 p.m., prevailing time, at 1145 Garver Lane, Scotland, Pennsylvania.

The Township stated several ordinances need to be adopted by the Township and the Board would need to consider scheduling public hearings for each ordinance to be considered and adopted. He stated the first consideration is for an ordinance that needs to be adopted prior to the end of 2011 regarding increase of Supervisors compensation according to the Second Class Township Code. Supervisors compensation is based on population and because the 2010 Census revealed an increase in Greene Township's population which then

placed the Township Supervisors compensation into another category, it is necessary to adopt an ordinance for the new rate of compensation for any Supervisor that takes office after January 1, 2012. Further, the Solicitor stated there is need to adopt a model ordinance regarding floodplain management to be effective prior to January 18, 2012, according to correspondence and requirements of FEMA (Federal Emergency Management Agency). He stated the Board needs to set a public hearing date for the ordinance which could occur at their Regular Meeting to be held January 10, 2012. Lastly, the Solicitor noted that an ordinance regarding “e & s” (erosion and sedimentation) would need to go to the County for their review and that public hearing would be held later (i.e. early February). Following review and consideration of all needed public hearings concerning adoption of the aforementioned ordinances, *first*, on a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted that a public hearing concerning an ordinance regarding floodplain management be scheduled to be held Tuesday, January 10, 2012, at 7:00 p.m., prevailing time, at the Greene Township Municipal Building, 1145 Garver Lane, Scotland, Pennsylvania, prior to the Supervisors Regular Meeting. *Second*, on a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted that a public hearing concerning “e & s” for the Conservation District be scheduled to be held Tuesday, February 14, 2012, at the Greene Township Municipal Building, 1145 Garver Lane, Scotland, Pennsylvania, prior to the Supervisors Regular Meeting. *Third, and lastly*, on a motion by Travis L. Brookens, seconded by Todd E. Burns, and by a vote of 3-0, the Board unanimously voted to schedule a public hearing concerning an ordinance regarding an increase in Supervisors compensation to be held Tuesday, December 27, 2011, at 7:00 p.m., prevailing time, at the Greene Township Municipal Building, 1145 Garver Lane, Scotland, Pennsylvania, prior to the Regular Meeting.

Mr. Gregory Lambert, Township Engineer, presented a Speed Restriction Study he had prepared for Byers Road (T-416) which overall length is 0.9 mile. He stated that recently he had reviewed the speed limits currently posted on both sections of Byers Road (T-416) following the Township receiving complaints regarding the limits posted and (speeding) tickets received by several area residents who were questioning the low speed posted. He stated that following much research, the Township was unable to find the ordinance that would recommend the speed limit and in view of that concern, the Supervisors directed him to develop new, enforceable speed limits. The Engineer stated the study broke Byers Road into two sections; one, western between Scotland Main Street (S.R. 1006 and Black Gap Road (S.R. 0997) (Section A); and, two, eastern between Black Gap Road and Pine Stump Road (T-613) (Section B). The surrounding area is zoned R-2 (Medium Density Residential) and lies within close proximity to the Village of Scotland with no commercial uses located along the study corridor and the nearest business is 0.3 miles from the western end of the road on Scotland Main Street in the center of Scotland. The road is bisected by Black Gap Road and is comprised of two distinct sections with regards to surrounding land uses. The western section which is closest to Scotland and west of Black Gap Road is contained within a residential district and has eleven intersecting driveways along its 0.3 mile length. The other portion of the road to the east of Black Gap Road lies within a rural and agricultural area and has only seven intersecting driveways along its longer 0.6 mile length. The existing statutory 55 mph speed limit for the **residential portion Section A** of Byers road can be established by the Township to be 25 mph in accordance with Pennsylvania Act 1998-151, if it is determined

that the road is: (1) in an area that satisfies the definition of a residence district; (2) is not a numbered traffic route; and, (3) must be functionally classified by PennDOT as a local highway. A review of these requirements found the closest business use to Byers Road is located 0.3 miles from the southern end and the primary uses along the road are residential as there is a density of driveways of a drive per 150 feet, the road is Township owned and a local road, and, lastly, does not carry a State route numbering classification. Therefore, this section of road does meet the criteria and can be legally posted at a 25 mph speed limit upon resolution by the Board of Supervisors. For the existing statutory 55 mph speed limit on the **rural portion Section B** of Byers Road regulations require the Township conduct a traffic study which either documents the 85th percentile speed is below the existing limit and/or determines from a safe running speed study the safe speed limit is to be lowered. A new speed limit may be established on the basis of a comprehensive report which includes discussions on roadside development and obstructions, geometric review, sight distances, speed data, and traffic volumes and these report guidelines have been established in sections of Title 67 of the Pennsylvania Code. The Engineer continued by noting factors of *site conditions, road hazards, speed study, safe running speed*, and his *summary and recommendations*. He noted further that he had reviewed the speed limits in the surrounding area as well; i.e., Pine Stump Road is posted at 40 mph and would recommend this portion of Byers Road be established at 40 mph. In view of the speed study, results of the safe running speed trials, and all other findings, the Engineer recommended that Section A of Byers Road (that portion located between Scotland Main Street and Black Gap Road) be posted with a legal speed limit of 25 mph in accordance with Pennsylvania Act of 1998-151 and be adopted by resolution by the Board of Supervisors; and, that Section B (that portion located between Black Gap Road and Pine Stump Road) be posted with a legal speed limit of 40 mph in accordance with the findings of the study and Title 67 of the Pennsylvania which must be adopted by ordinance by the Board of Supervisors. The Township Solicitor recommending setting a public hearing date to consider and adopt an ordinance for the recommended 40 mph speed limit as defined by the Township Engineer. Supervisor Brookens noted the public hearing needs to be held sooner than later because the speed limit by State law is currently 55 mph. Resident Harry Rotz interjected that after he had received a speeding ticket, a State Trooper had called and asked him if he had paid the ticket of which Mr. Rotz had already submitted the payment and in light of this fact, Mr. Rotz asked the Board if it would cause any legal action on the Township and the Chairman stated 'no'. Mr. Rotz emphasized the State Trooper was very nice and respectful. 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 to adopt Township **Resolution 19-2011** which will set the speed limit on Byers Road at 25 mph on the portion located between Scotland Main Street (S.R. 1006) and Black Gap Road (S.R. 0997). Further, 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 the Township Solicitor to advertise an ordinance to set and post a speed limit of 40 mph on that portion of Byers Road between Black Gap Road (S.R. 0997) and Pine Stump Road (T-613) and that a public hearing be scheduled and held January 10, 2012, at 7:00 p.m., prevailing time, at the Greene Township Municipal Building, 1145 Garver Lane, Scotland, Pennsylvania, prior to the Regular Meeting.

The Township Engineer presented a request for remaining plan review escrow for Melvin Diem/David Hurst, 1-lot Final Land Subdivision/Lot Addition Plan, Project #11-018, as received via correspondence from Mr. James Maun of William A. Brindle Associates, Inc. on behalf of their client, Mr. David Hurst. The Engineer noted it was a very minor plan, all work has been completed, and all fees have been paid. The original escrow amount was \$1,500, \$403.50 in expenditures, with a remaining balance of \$1,096.50 to be returned and the Engineer stated he would recommend returning the remaining balance. Following consideration and review, on a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted to grant the request for refund of remaining plan review escrow for Project #11-018 in the amount of \$1,096.50, to be refunded to Mr. David Hurst.

The Township Engineer presented a request for bond reduction for Greene Acres, Phase I, as submitted by Lance Kegerreis of Dennis E. Black Engineering, Inc. and representing Trinbar LLC. He stated said bond was accepted by the Township this fall for Beverly Boulevard being developed by Trinbar and being held by the Township for the completion of remaining public improvements. The current bond is coming due in February 2012 and they are requesting it be reduced. The Engineer stated he disagreed slightly with the updated bond estimate and reviewed and checked against the last bond reduction made in January 2009. He was able to determine a reduction is appropriate and included a marked up copy of the latest reduction estimate which reflects the current value of the uncompleted work items. Accordingly, he stated he would recommend the previous \$125,809.48 bond amount **be reduced by \$35,049.86 and that \$90,759.63 continue to be retained** to ensure the completion of the required work (i.e. cul-de-sac street known as Grace Ann Court). He also stated that all stormwater facilities have been completed and stone placed on the cul-de-sac. He further noted that Mr. Kegerreis is in the process of obtaining a maintenance bond for Beverly Boulevard and would make any recommendation on condition the maintenance bond be in place. Supervisor Brookens inquired as to the amount and the Engineer stated the maintenance bond should be approximately \$19,000. The Chairman noted that although the current bond expires in February, Mr. Kegerreis is requesting the reduction now so that he may start the process of obtaining a new bond. It was consensus of the Board this release be conditional upon receipt of the maintenance bond. 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 from Greene Acres, Phase I, bond reduction be granted conditionally that before the bond is released from the Township, a \$19,000 maintenance bond for Beverly Boulevard must be posted and received by the Township; following that, then the current bond will be reduced by \$35,049.86 to \$90,759.63 be retained by the Township.

The Board reviewed the Fayetteville Volunteer Fire Department Fire Police Monthly and Year-to-Date Report for November 2011 as submitted. Following review with no comments, it was consensus of the Board the Report be accepted as presented and become part of the official record.

The Chairman stated the Township was in receipt of correspondence from legal counsel on behalf of the owners of The Ragged Edge Inn requesting that continued discussion postponed from the November 22, 2011 Meeting to this Meeting (date) be further postponed to the December 27, 2011 Meeting. Following 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 as received on behalf of The Ragged Edge Inn for continued discussion be postponed to the December 27 Meeting be granted.

The Zoning Officer presented the Monthly Zoning Office Report for November 2011 noting the following corrections under **Subdivision & Land Development Reviews**: Item 1) Second State Enterprises – 1-lot Final Land Development Plan; and, Item 2) Washco/Orchard Ridge – 18-lot Final Subdivision Plan. It was consensus of the Board to accept the Monthly Zoning Office Report for November 2011 with changes as noted in these Minutes and a final, correct copy will be submitted and become part of the official record.

The Zoning Officer informed the Board the Township was in receipt of a Conditional Use Permit request from Norman and Barbara Lauffer to replace an existing mobile home in Mickey Inn Trailer Park in the Flood Hazard (FH) District. The ZO stated a public hearing was required to consider this request even for one unit in the Park. He stated the application was received December 1, 2011 and the hearing would need to be held within sixty (60) days prior to January 24, 2012 (Supervisors last meeting before 60-days expiration). There being no further comments, on a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted to schedule a public hearing to hear and consider the request from Norman & Barbara Lauffer to replace an existing mobile home in the Flood Hazard (FH) District in Mickey Inn Trailer Park to be held January 24, 2012, at 7:00 p.m., prevailing time, at the Greene Township Municipal Building, 1145 Garver Lane, Scotland, Pennsylvania, prior to the Supervisors Regular Meeting.

The Zoning Officer presented an 18-unit Land Development Plan for Second State Enterprises; property located on Doron Drive; previously presented at the Supervisors Meeting held October 25, 2011. The Zoning Officer reviewed comments as outlined on the *Approval Checklist*, a copy of which was distributed to each Board Member for their review, as follows: Franklin County Planning Commission – reviewed at preliminary with no comment (6-1-11); Greene Township Municipal Authority – approved (10-14-11); PA DEP module approved (5-3-11); Guilford Water Authority - approved (10-7-11); Franklin County Conservation District – ‘adequate’ (10-17-11); stormwater bond in the amount of \$18,282 required; Township Planning Commission reviewed the Plan at their September 12, 2011 Meeting and recommended approval subject to outstanding comments that have since been addressed; transportation impact fee (TSA-3) of \$19,668 total required; recreation impact fee of \$9,000 total required. The ZO noted the Plan had been tabled at the October 25, 2011 Meeting due to a correction of the floodplain level and also the Township did not have a copy of correspondence as of that date (from FEMA) and now the Township has received a copy which was attached to the *Approval Checklist*. The Township Engineer had no further comments nor were there any further comments or questions from either those in attendance or Board Members. 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

Second State Enterprises 18-unit Land Development Plan be approved with conditions: (1) stormwater bond of \$18,282 be posted before the plan is released from the Township Office; (2) recreation impact fee of \$9,000 and transportation impact fee of \$19,668 be posted prior to issuance of a Land Use Permit.

The Zoning Officer presented a 1-lot Final Subdivision Plan for Washco/Orchard Ridge; property located on Scotland By-pass/PA 997 (Black Gap Road) north of Doron Drive; subdivision of small portion; developer proposes to retain Highway Commercial (HC) property; 22 acres bounded by Mountain Run. The Zoning Officer reviewed comments as outlined on the *Approval Checklist*, a copy of which was distributed to each Board Member for their review, as follows: Franklin County Planning Commission – reviewed with no comment (11-15-11); Greene Township Municipal Authority – n/a; Form B acknowledged by PA DEP (11-30-11); Guilford Water Authority – n/a; all comments of Township Planner and/or Engineer were addressed (11-22-11); Plan was staff reviewed by Township Zoning Office on behalf of the Township Planning Commission and recommended approval (11-22-11). The ZO noted the Plan proposes specific use; portion to the rear to be used for agriculture; minor subdivision. Resident Harry Rotz interjected and asked where the property was located and the ZO noted it is the field right before the orchard and showed on the overhead displayed the location of the property in relation to I-81 and Route 997. Supervisor Burns inquired as to what part and Mr. William Brindle, engineer for the developer, stated it is being subdivided off the residue. The Chairman inquired if this was part of orchard or Diller property and Mr. Brindle stated ‘part Diller, part orchard’. 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 Washco/Orchard Ridge 1-lot Final Subdivision Plan be approved as presented.

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

On a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously authorized the payment of invoices as follows: Check Numbers 17174 through 17196, inclusive, to be paid from the General Fund; Check Number 1463 to be paid from the Electric Light Fund; and, Check Numbers 2011 through 2013, inclusive, to be paid from the Liquid Fuels Fund.

There being no further business before the Board, the Chairman adjourned the Meeting at approximately 8:12 P.M..

Respectfully submitted,

Secretary