

March 13, 2012  
Scotland, PA 17254  
Regular Meeting

The Greene Township Board of Supervisors met in regular session Tuesday, March 13, 2012 at the Township Municipal Building, 1145 Garver Lane, Scotland, PA, following a Public Hearing regarding a proposed Amendment to Chapter 105, Section 105-14, for "Flood Hazard District".

Present:

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

Gregory Lambert  
Daniel Bachman  
Diann Weller  
Welton J. Fischer

Visitors: See list

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

The Minutes of the February 28, 2012 Regular Meeting shall stand approved as presented.

The Chairman explained that due to the recent audit by the State Pension Auditor of the Attorney General's Office, Act 44 requires municipalities to obtain bids for administration of a pension plan. However, due to the fact the Township's General Fund is paying expenses (fees, etc) and not being paid from the Pension Fund, the Township is not required to comply with the Act but must have a resolution noting this. The Township Solicitor stated the language of the proposed Township Resolution would explain the Pension Plan is under contract by a professional firm and Greene Township pays fees, etc from the General Fund. He further noted that Act 44 entails a detailed process of selecting and bidding the administration of a pension plan. He stated, however, that if the Township would pay these expenses differently in the future then the Township would have to revise their operation. A separate accounting record is kept for this issue. 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 that Township **Resolution No. 8-2012** be approved and bring the Township into compliance with Act 44.

The Chairman explained the on-going process for Dave's Truck Repair and Recovery Service to obtain access to and utilize the new (County) radio system due to the tremendous service Dave's provides to area municipalities and fire companies with equipment and labor. He noted the warranty on the radios to be used has expired before they were ever in operation and the Department of Emergency Services devised a policy that Dave's must go through a number of training (i.e. CPR, hazard materials, etc) which do not apply to Dave's Truck operation as opposed to the only training that Dave's Truck needed was the hazardous materials. He stated that Dave Burkholder has had and satisfactorily completed all the required training. The Chairman noted this was the idea of the new Department of Emergency Services and that municipalities have been trying desperately to get Dave's Truck in compliance but was very frustrated with the continuous "run-around" and "road blocks" that kept occurring. Therefore, the Franklin County Fire Chiefs' Association is asking and would like all municipalities to have all their Board Members sign a letter of

acknowledgement regarding Dave's Truck to assist with completing this compliance requirement. 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 Township Supervisors are authorized to sign the acknowledgement to direct the Franklin County Fire Chiefs' Association letter be forwarded to Emergency Services that Dave's Truck Repair and Recovery Service will have access to and utilize the new County radio system.

The Chairman noted receipt of a Dog Run/Leash Agreement with Cumberland Valley Animal Shelter (CVAS) which also includes the Borough of Chambersburg. The dog run area will be located at the Shelter's new site. The Agreement was reviewed and the Board concurred. 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 Board of Supervisors be authorized to sign the Dog Run/Leash Agreement with the Cumberland Valley Animal Shelter.

The Vice Chairman, Board's representative to the Franklin County Area Tax Bureau, presented a copy of the proposed changes to the By-laws of the Bureau. When the Chambersburg Area Wage Tax Board's By-laws were changed approximately a year ago, the "critical" issues (i.e. nine additional jurisdictions and change the Board's voting structure) were addressed at that time but other numerous "cosmetic" changes would be needed and addressed at a later date. The "cosmetic" changes include: the former Chambersburg Area Wage Tax Board will now be operating under "Franklin County Area Tax Board"; change term of representatives and alternates from three-year to one-year; number of members required for a quorum from eight to thirteen; minor change to Article of By-laws referring to Solicitor service for taxing district; provide for proxy voting on budget items only (budget is reviewed through several meetings; budget must be passed by September each year and a meeting is held only to formally adopt the budget; proxy voting is strictly on final budget); divided Article that provides for budget to be separated into two sections versus one section. Following review and consideration, on a motion by Travis L. Brookens, seconded by Charles D. Jamison, Jr., and by a vote of 3-0, the Board voted the proposed changes to the Franklin County Area Tax Board By-laws be approved as presented.

The Chairman stated he had reviewed the box alarms for Fayetteville Volunteer Fire Department and in doing so realized that 2011 was also included but that 2012 (list) did have ET-14 removed as discussed and approved by the Board at a previous Meeting. He noted that possibly in the BLS area there could have been some difference and some area off Norland Avenue which may be closer for West Shore other than Company 1 (Borough of Chambersburg) and noted that on I-81 he highly doubted anyone would arrive sooner than West Shore. He stated that following his review the box alarm changes were in line and found to be satisfactory and that ET-14 has been removed. 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 Fayetteville Volunteer Fire Department Box Alarms be approved as presented. The Chairman stated that Franklin Fire Company's Box Alarms were received late this date and will be placed on the March 27 Supervisors Meeting Agenda for consideration.

The Zoning Officer reviewed the February 2012 Monthly Zoning Office Report as submitted to the Board. Following his review, hearing no additions or corrections, it was consensus of the Board the Monthly Zoning Office Report shall stand approved as presented and become part of the official record.

The Zoning Officer presented a request for review time extension of ninety (90) days from Mr. James Maun of William A. Brindle Associates on behalf of the Brownsville Church of God Land Development Plan; requesting time extension so there is adequate time to address any outstanding comments of the applicable review agencies; current deadline is March 16, 2012. Supervisor Burns asked if this was the first request for review time extension and Mr. Maun stated 'yes' and that a revised plan will be submitted with a letter to address all comments. 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 review time extension for Brownsville Church of God Land Development Plan be granted an additional ninety (90) days commencing March 16, 2012.

The Zoning Officer presented a 2-lot Final Subdivision/Lot Addition Plan for the Carl Walter Estate; property located on Grand Avenue in the R-2 (Medium Density Residential) zoning district; was tabled from the Supervisors February 28, 2012 Meeting due to a question regarding an existing garage. The ZO stated he had spoken with the Township Solicitor and had researched and found a Land Use Permit issued for the garage. 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 (2-20-12); a copy of the plan was provided to Greene Township Municipal Authority for their information; Form B acknowledged by PA DEP (2-14-12); plan was staff reviewed by Zoning Office on behalf of the Township Planning Commission and recommended approval (2-28-12); comments of both the Planner (2-24-12) and Township Engineer (2-28-12) were satisfactorily addressed and recommended approval. Supervisor Brookens asked who is using the existing garage and Mr. Maun stated the brothers use it for storage of equipment they use to maintain the property and this plan was re-shaping to bring the lots into compliance; also noted the smaller shed stays with the existing house. 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 Carl Walter Estate 2-lot Final Subdivision/Lot Addition Plan be approved as presented.

The Zoning Officer presented a 1-lot Final Subdivision Plan for Ronald Burke; property located along Black Gap Road; proposed subdivision of property for dwelling unit construction; new lot to be created will be referred to as "Lot 1"; property zoned R-1 (Low Density Residential). 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 (1-20-12); Greene Township Municipal Authority approved (2-10-12; will utilize existing (sewer) lateral; Guilford Water Authority approved (2-3-12); driveway permit has been issued by PennDOT; Franklin County Conservation District noted as 'adequate' (3-1-12); plan was staff reviewed by Zoning Office on behalf of

the Township Planning Commission and recommended approval (3-12-12); comments noted on the Planner's correspondence dated February 16, 2012 appear to be satisfactorily addressed; the Township Engineer's comments have been satisfactorily addressed and he would recommend approval (3-12-12); transportation impact fee required (1 trip - \$1,809.00); one-time exemption claimed for recreation impact fee per Chapter 85-18.K(4). The Zoning Officer offered one additional comment regarding the access that is proposed for the lot comes off Black Gap Road; a note needs to be placed on the plan regarding access; Lot 2 is to have perpetual easement access across Lot 1 and if more than one using the access, they need a maintenance agreement with a note on the plan. The Chairman noted there are persons who utilize this access more than these lot owners. The Board discussed the matter of other persons who use this access with permission from Mr. Burke owner although they have another access; it was noted there was nothing legally the Township could require. 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 Ronald Burke 1-lot Final Subdivision Plan be approved with conditions: (1) a note be placed on the plan as stated; (2) maintenance agreement stating who utilize it be presented before the plan is released; (3) impact fee of \$1,809.00 be posted at time of Land Use Permit issuance.

The Zoning Officer presented a 7-unit Townhome Final Land Development Plan for Paul Nolt; property located off Greene Street; property located in the HC (Highway Commercial) zoning district; propose construction of 7-unit townhome; parcel is remainder of Salem Road Village property. 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 (9-1-11); Greene Township Municipal Authority approved (3-9-12); planning module approved by PA DEP (2-15-12); Guilford Water Authority approved (11-18-11); Franklin County Conservation District noted as 'adequate' (12-5-11); previous comments of Planner have been addressed (1-5-12); Township Engineer reviewed bond estimate of \$21,588, found to be acceptable, and attached ten percent contingency for a recommended bond amount to be established to be \$23,746.80; plan reviewed by Township Planning Commission and recommended approval subject to module approval by PA DEP, all comments of Planner, Township Engineer, Franklin County Conservation District, and Guilford Water Authority be addressed (11-14-11); transportation impact fee of \$14,455 (total) required; recreation impact fee of \$3,500 required; both impact fees must be posted prior to issuance of Land Use Permit. Supervisor Burns asked if this property was in the new part of the development and the Zoning Officer showed on the plan where located on the portion of Greene Street, the new and old portions shown. The ZO stated a request for waiver of sidewalks was previously denied by the Board. Supervisor Brookens inquired as to a gray area shown on the plan and the ZO stated it was a water line coming into the back of the property. 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 Paul Nolt 7-unit Townhome Final Land Development Plan be approved with conditions: (1) the stormwater bond in the amount of \$23,746.80 be posted; (2) recreation fee be posted; (3) transportation impact fee of \$14,455 be posted at time of issuance of Land Use Permit.

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 17484 through 17520, inclusive, to be paid from the General Fund; and, Check Number 2050 to be paid from the Liquid Fuels Fund.

At this time, the Chairman announced the Regular Meeting would go into recess for an Executive Session to discuss a legal issue and the public was excused.

The Board later returned from recess and went back into the Regular Meeting. On a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted the Chairman be authorized to sign the Trans Associates Settlement Agreement on behalf of the Board and the Township Secretary/Treasurer be authorized to notarize same. 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 Settlement Agreement with Fayetteville Contractors be approved and authorize and direct the Chairman to sign that Agreement on behalf of the Board and the Township Secretary/Treasurer be authorized to notarize same.

There being no further business before the Board, the Chairman adjourned the Meeting at approximately 7:51 P. M..

Respectfully submitted,

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Secretary