

April 26, 2011  
Scotland, PA 17254  
Regular Meeting

The Greene Township Board of Supervisors met in regular session Tuesday, April 26, 2011, at the Township Municipal Building, 1145 Garver Lane, Scotland, PA.

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 7:00 P. M..

The Minutes of the April 12, 2011 Regular Meeting stand approved as presented.

Sealed Bids were received for 89 Octane Gasoline and Diesel (Ultra Low Sulphur), were opened, and read aloud as follows:

<b>Bidder's Name</b>	<b>Bid Price 89 OCTANE GASOLINE (2,000 Gallons)</b>	<b>Bid Price - DIESEL (Ultra Low Sulphur) (30,000 Gallons)</b>
Dymond Oil Co.	NO BID	3.60 / gal. (with escalator clause)
McCleary Oil Co.	3.793 / gal. (with escalator clause)	3.449 / gal. (with escalator clause)
Talley Petroleum	3.4961 / gal. (with escalator clause)	3.5859 / gal. (with escalator clause)

Delivery sites will also include Fayetteville Volunteer Fire Department, 101 West Main Street, Fayetteville, PA. Escalator clause also included.

Following review and discussion of all prices submitted, on a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted the bid for 89 Octane Gasoline be offered to Talley Petroleum at their bid price of 3.4961 per gallon and if they do not accept, then the bid will be offered to the next lowest bidder, McCleary Oil Company at their bid price of 3.793 per gallon.

Following review and discussion of all prices submitted, on a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted the bid for Ultra Low Sulphur Diesel be awarded to the low bidder, McCleary Oil Company, at their bid price of 3.449 per gallon.

Sealed Bids were received for #2 Fuel Oil, were opened, and read aloud as follows:

Bidder's Name	Bid Price (3,500 gals.)
Dymond Oil Co.	3.48 / gal. (with escalator clause)
McCleary Oil Company	3.40 / gal. (with escalator clause)
Talley Petroleum	NO BID

Following review and discussion of all prices submitted, on a motion by Travis L. Brookens, seconded by Todd E. Burns, and by a vote of 3-0, the Board unanimously voted the bid for #2 Fuel Oil be awarded to McCleary Oil Company at their bid price of 3.40 per gallon.

Sealed Bids were received for Bituminous Materials, were opened, and read aloud as follows:

Bidder's Name	Description	Unit Bid Price FOB Plant	TOTAL	Unit Bid Price Delivered at Job Site	TOTAL
Fayetteville Contractors (NO INDEX SHOWN)	Cold Mix (25 ton)	NO BID			
	9.5 MM Superpave (5,000 ton)	61.91 / ton	309,550	NO BID	---
	12.5 MM Superpave (1,000 ton)	61.52 / ton	61,520		
	25 MM Superpave (10,000 ton)	54.24 / ton	542,400		
Pennsy Supply (INDEX 546)	Cold Mix (25 ton)	95.50 / ton	4,375	NO BID	---
	9.5 MM Superpave (5,000 ton)	52.76 / ton	263,800		
	12.5 MM Superpave (1,000 ton)	52.76 / ton	52,760		
	25 MM Superpave (10,000 ton)	45.25 / ton	450,250		
St. Thomas Dev. Inc. (NO INDEX SHOWN)	Cold Mix (25 ton)	80.00 / ton	2,000	84.50 / ton	2,112.50
	9.5 MM Superpave (5,000 ton)	51.50 / ton	257,500	56.00 / ton	280,000
	12.5 MM Superpave (1,000 ton)	49.50 / ton	49,500	54.00 / ton	54,000
	25 MM Superpave (10,000 ton)	42.25 / ton	422,500	46.75 / ton	467,500
Valley Quarries, Inc. (INDEX 546)	Cold Mix (25 ton)	85.00 / ton	2,125	NO BID	---
	9.5 MM Superpave (5,000 ton)	51.00 / ton	255,000		
	12.5 MM Superpave (1,000 ton)	53.75 / ton	53,750		
	25 MM Superpave (10,000 ton)	41.00 / ton	410,000		

1. No index shown by Fayetteville Contractors **NOR** St. Thomas Development, Inc.
2. The Township Solicitor stated the Township could award on the condition the index is provided in a timely manner and also that it would not change pricing.

Following 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 that St. Thomas Development, Inc. be offered the bids, providing they show the index they based their bid prices on, for Cold Mix at 80.00 per ton and 12.5 MM at their bid price of 49.50 per ton; only contingent they justify the index.

Following 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 bid for 9.5 MM be awarded to Valley Quarries, Inc. at their bid price of 51.00 per ton and the bid for 25 MM at their bid price of 41.00 per ton.

Sealed Bids were received for Crushed Aggregate, were opened, and read aloud as follows:

Item #	Bid Item	UNIT PRICE		UNIT PRICE		UNIT PRICE	
		FOB PLANT	DELIVER JOB SITE	FOB PLANT	DELIVER JOB SITE	FOB PLANT	DELIVER JOB SITE
		Pennsy Supply		St. Thomas Dev., Inc.		Valley Quarries, Inc.	
1	No. 8 500 Ton	8.75	13.57	5.00	8.60	7.50	10.20
2	No. 2-A 10,000 Ton	5.75	10.57	3.00	6.60	4.35	7.05
3	2A Aggregate 200 Ton	5.75	10.57	3.00	6.60	4.35	7.05
4	Penn #1 200 Ton	7.75	12.57	5.00	8.60	6.75	9.45
5	1/4" Clean 200 Ton	NO BID		13.00	* 16.60	13.50	16.20
6	Anti-Skid 3,000 Ton	8.50	13.32	13.00	* 16.60	10.15	12.85
7	#57 1,500 Ton	7.85	12.67	5.00	8.60	6.75	9.45

\*St. Thomas Development, Inc. stated they wanted 24 hours' notice for deliveries or pickup of Items 5 and 6, which is totally unacceptable to Township due to nature of materials.

Following lengthy discussion and review of all bid prices as read aloud, on a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted that all seven (7) Items as listed for Crushed Aggregate (No. 8, No.2-A, 2A Aggregate, Penn #1, 1/4" Clean, Anti-skid, and #57) be awarded to Valley Quarries, Inc. based on their respective bid prices even though St. Thomas Development, Inc. Unit Prices FOB Plant were lower, except Item #6, when the Township would calculate cost to pick up (equipment, fuel, labor, etc), St. Thomas's prices would exceed their bid prices which makes Valley Quarries' prices lower.

Correspondence was received and read from Mr. Alex Rohrbaugh informing the Board of Supervisors of his regret in having to resign from his appointment as Alternate Member on the Township Zoning Hearing Board effective April 30, 2011, due to moving out of the Township; therefore, cannot meet the residence requirement for Board Members. On a motion by Travis L. Brookens, seconded by Todd E. Burns, and by a vote of 3-0, the Board unanimously voted the resignation of Alex Rohrbaugh from the Township Zoning Hearing Board effective April 30, 2011 be accepted as submitted.

The Chairman presented and informed the Board of the request from Dave's Truck Repair, Inc. to be permitted a radio compatible with the new, recently installed radio system throughout the County. The Chairman cited many reasons why this request should be granted by the Franklin County Emergency Services including, but not limited to, the size and availability of certain equipment used not only for towing but also for lifting (i.e. one ton tank); Dave's consistently go above and beyond any of the normal operations of such a business; and, the quantity and quality of services provided including reasonable rates, to name just a few. He stated that he thought the problems encountered earlier regarding this matter had been settled but it appears that apparently not. Following discussion, on a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted that Greene Township be authorized to sign an agreement with the Franklin County Emergency Services for Dave's Truck Repair, Inc..

The Zoning Officer presented and read correspondence received from Mr. Fred Guyer, Jr., 4801 Railroad Road, in reference to property owned by him and located at 4925 Railroad Road. Mr. Guyer requested a waiver of the required setback distance for placement of septic tank stating that when he had laid out the piers for the mobile home he miscalculated the distance for the septic tank at 8 feet, 6 inches instead of the 10 feet required. He further noted in his correspondence that he did not realize the mistake until opening up for the sewer connection which was after the footings and mobile home placement. The ZO stated the former resident's mobile home was moved and the septic has been tested by the SEO and may be used for a new mobile home, however, at the time of testing the SEO discovered the distance error. The SEO informed Mr. Guyer beforehand of the required distance setback. The Solicitor stated that a waiver is for a *hardship* and it would seem this person ignored the information and created his own hardship. Supervisor Burns inquired if this was a Township or (PA) DEP regulation and the Solicitor stated "DEP", therefore, the Township *cannot* give a waiver. The Board discussed the matter further and noted their concern that if the tank were moved (due to its known age) it may disintegrate. The Solicitor noted he understands the mobile home is a double-wide rather than a single-wide. Following review and discussion of this request for waiver, 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 from Fred Guyer, Jr. for waiver of required setback distance for septic tank be *denied* on the basis that it was self-created by the applicant and the setback distance requirement is a (PA) DEP regulation.

The Township Engineer presented and read correspondence from Hanover Land Services, Inc. on behalf of White Church Meadows Development, requesting a refund of the remaining plan review escrow. Their correspondence indicated a statement previously sent from the Township indicated an amount of \$3,944.68. The Engineer stated there will be no more review fees, that this is just the preliminary plan, but would recommend the Township retain \$1,000 and refund the remaining balance. The Solicitor asked why they were requesting a refund at this time and Supervisor Burns further asked if the applicant was aware the final plan would require a new escrow submitted. 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 Hanover Land Services, Inc. for refund of remaining plan review escrow for White Church Meadows, Project #09-013, be returned the balance amount less any updated costs incurred and also \$1,000 be retained for any future preliminary plan reviews or inspections.

The Township Engineer presented a request for refund of retained plan review escrow in the amount of \$1,000 for G & R Enterprises, Project #09-034. The Engineer stated the bond for this project the Township was holding was returned at the last Supervisors Meeting (April 12, 2011). In view of the bond being returned, the Engineer stated he would recommend the \$1,000 currently being retained by the Township be returned to G & R Enterprises. Following review and discussion of this request, 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 refund to G & R Enterprises, Project #09-034, in the amount of \$1,000 be approved as requested.

The Zoning Officer presented a request to refund \$5.00 to Travis and Bobbie Cramer, Smoketown Road, for an *Application for Land Use Permit* which is not required for the construction of a dog kennel. The ZO stated he had contacted the property owner to determine the exact dimensions of the chain link fence along with a dog house and further stated a permit is not required for this type of structure. On a motion by Todd E. Burns, seconded by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted that Travis and Bobbie Cramer, Smoketown Road, be refunded \$5.00 for an *Application for Land Use Permit* that was not required.

The Zoning Officer presented a 1-lot Final Land Development Plan for property located along Airport Road for Air Methods that had been tabled at the Supervisors Regular Meeting held March 8, 2011 pending hydraulic testing which has been done and information received by the Township and reviewed by Vince Elbel, Township SEO. Mr. Elbel noted he was satisfied with the test report following his review. 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 (2-2-11); on-lot septic system; propose connection to existing on-lot system (2-7-11); on-lot well; Franklin County Conservation District noted as 'adequate' (2-2-11); Township Engineer had no further comments beyond the comments from Rosenberry's Superior Septic Services who performed the hydraulic testing as contracted by Dennis E. Black Engineering, Inc. on behalf of Air Methods; plan reviewed by the Township Planning Commission at its regular meeting held February 14, 2011, and following review recommended approval of the plan as presented; transportation impact fee of \$2,065 (TSA-1, 1 new trip) required at time of Land Use Permit issuance. Following review of the plan and accompanying comments, on a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted the Air Methods 1-lot Final Land Development Plan be approved with condition the impact fee of \$2,065 be paid at time of Land Use Permit issuance.

The Zoning Officer presented a 1-lot Final Subdivision/Lot Addition Plan for Corpus Christi/Valley Quarries for property located at the intersection of Mt. Pleasant and Cook Roads; subdivision of Valley Quarries property to Corpus Christi for conveyance of lot addition to Corpus Christi. 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 (2-25-11); Form B acknowledged by PA DEP; Tim Cormany of Martin & Martin, Inc. reviewed the planning aspects of the plan and commented the cover sheet needed to be signed and notarized by owner; Township Engineer reviewed and concurred with Mr. Cormany's findings and would recommend approval; plan was

reviewed by Township Zoning staff and recommended approval (4-26-11). Following review and consideration of the comments presented, on a motion by Travis L. Brookens, seconded by Todd E. Burns, and by a vote of 3-0, the Board unanimously voted the Corpus Christi/Valley Quarries 1-lot Final Subdivision/Lot Addition Plan be approved as presented.

The Board received and discussed the resignation of Mr. Charles Wingerd effective 3:00 P.M., this date, said notification being received by the Township two (2) weeks prior. Mr. Wingerd was a former full-time employee who had retired and then later returned to work for the Township on a part-time basis. In Mr. Wingerd's correspondence he thanked the Supervisors for the years that he worked beginning in March 1988 and did offer his services to the Township if needed. The Chairman stated that Mr. Wingerd had been a good employee who would go the "extra mile". Supervisor Burns stated he hated to see Mr. Wingerd go but that he (Mr. Wingerd) deserves his decision; Mr. Wingerd has worked hard, wished him well in his final retirement and to enjoy to the fullest. The Chairman stated that no matter the hour of night, Mr. Wingerd was always available. He will be missed by all!! The Solicitor, Mr. Fischer, added a personal note stating that Mr. Wingerd has been a good friend over the years as well as he (Mr. Fischer) having a friendship with other employees. 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 accept the resignation of Mr. Charles Wingerd from part-time status at Greene Township.

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 payment of invoices as follows: Check Numbers 16502 through 16533, inclusive, to be paid from the General Fund; Check Number 1442 to be paid from the Electric Light Fund; and, Check Numbers 1930 through 1935, inclusive, to be paid from the Liquid Fuels Fund.

There being no further matters before the Board, the Chairman proceeded to adjourn the Meeting at approximately 8:15 P.M..

However, before the motion was voted upon, Resident Kenneth Mummert stated he missed the item on the Agenda earlier of "Public Comment" and stated he was here again regarding the intersection of (Rts.) 997 and 433. He stated he had observed on the previous Thursday evening at 4:21 p.m. a vehicle turning into Culbertson almost causing a near collision. He stated vehicles coming from Air Hill think they have the right-of-way and they don't yield. He asked that a sign be posted on the mounting stating 'left turn lane must yield'. He noted statistics of the number of vehicles traveling in the different directions at this intersection and asked that since Coffey Avenue has three lanes to the right and only one to the left and should be two each way. The Township Engineer stated there would be conflict if they tried two lanes each. The Chairman also stated the Township has discussed this intersection a number of times with PennDOT and the Township cannot do anything without their (PennDOT) approval. Mr. Mummert then asked about changing the traffic signal light but was informed again that would need PennDOT approval and also most likely cause conflict. The Engineer explained the controller at the light has been changed to help with traffic flow when it is heavy. The Chairman and Engineer both tried discussing the matter

and explaining the various aspects with Mr. Mummert but Mr. Mummert had difficulty understanding all the ramifications involved with this particular traffic signal and intersection. Supervisor Burns noted it would not help to take out the truck lane and you will find problems at any intersection. The Chairman stated the signal will not put another phase in the intersection and PennDOT will not allow the Township to put a sign up that 'left turn lane must yield' and the difficulty of dealing with PennDOT regarding this intersection in particular. Mr. Mummert thanked the Board for discussing the matter with him.

The Chairman adjourned the meeting at approximately 8:30 P.M..

Respectfully submitted,

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Secretary