

June 22, 2010  
Scotland, PA 17254  
Regular Meeting

The Greene Township Board of Supervisors met in regular session Tuesday, June 22, 2010, at the Township Municipal Building, 1145 Garver Lane, Scotland, PA.

Present:

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

Daniel Bachman  
Gregory Lambert  
Diann Weller

Visitors: See list

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

The Minutes of the June 8, 2010 Regular Meeting shall stand approved as presented.

Sealed Bids were received for *Brindle Road Culvert Re-line* as legally advertised and bids subsequently received at the Township Municipal Building. Supervisor Burns asked how many bids had been received and the Chairman stated two (2). The Chairman proceeded to open each bid received and read as follows:

<b><u>Bidder's Name</u></b>	<b><u>Total Bid</u> <u>(Lump Sum)</u></b>
David H. Martin Excavating, Inc.	\$44,500
Fayetteville Contractors, Inc.	\$51,222
Lane Enterprises, Inc.	<b>NO BID</b>
Valley Quarries, Inc.	<b>NO BID</b>

Following the opening and reading of each bid received, the Chairman gave the bid to Mr. Gregory Lambert, Township Engineer, for his acknowledgement. After briefly reviewing each bid cost submitted, Mr. Lambert stated each Bidder had submitted the ten percent (10%) Bid Bond as required and recommended the bids be held for his review and recommendation at the next 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 Sealed Bids for *Brindle Road Culvert Re-line* be tabled until the next meeting until such time the Township Engineer has an opportunity to review the Bids received and make a recommendation.

Resident Tom Martin, Portrait Way, asked if Scotland Run situation would be more fully discussed during Item 7 on this Agenda and the Chairman concurred.

Upon presentation of a request from Vince Elbel, Township S.E.O., for sewer tap-in for property located at 75 East Main Street, Fayetteville, for George Harris, the Zoning Officer informed the Board that Mr. Harris proposes to place a mobile home to the rear of the property in addition to an existing structure on the property; one (1) additional EDU will be required; water connection approved through Guilford Water Authority. Following review, 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. 13-2010**, from Vince Elbel, Township S.E.O., for George Harris, sewer tap-in for property located at 75 East Main Street, Fayetteville, be approved.

Upon presentation of a request from Vince Elbel, Township S.E.O., for sewer tap-in for property located at 2563 Rocky Spring Road, Chambersburg, for David Yeager, the Zoning Officer informed the Board this is being done relative to a subdivision of the property; propose single family dwelling with one (1) EDU; property is served by Greene Township Municipal Authority and water is provided by an on-lot well; both the Municipal Authority and Borough of Chambersburg have signed off on the request. Following review, on a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted that Township **Resolution No. 14-2010**, from Vince Elbel, Township S.E.O., for David Yeager, sewer tap-in for property located at 2563 Rocky Spring Road, Chambersburg, be approved.

(Please note that Items 7 and 8 as they appeared on the Agenda were reversed at the Meeting.)

The Township Engineer, Gregory Lambert, presented a request for refund of remaining plan review escrow funds as submitted by Dennis E. Black Engineer, Inc. for Salem Heights Development, Project No. 10-002. Mr. Lambert recommended a full refund because the plan has been approved and released from the Township and there is nothing further to inspect. On a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted the refund request of remaining escrow funds from Dennis E. Black Engineering, Inc., for Salem Heights Development, Project No. 10-002, in the amount of \$1,303.70 be refunded.

The Township Solicitor, Welton J. Fischer, informed the Board the (Township) Sewer Authority has completely re-written their rules and regulations and the Board of Supervisors need to schedule a public hearing date to consider an ordinance adopting proposed new rules and regulations. Mr. Fischer stated this will completely replace one (1) entire part of Chapter 67. Supervisor Brookens inquired if the Sewer Authority Board would need to go through the same process and then the Board of Supervisors and the Solicitor stated 'no' because the Board of Supervisors must adopt the rules and regulations and becomes part of the Township Code. The Solicitor stated the Board only needs to allow thirty (30) days for review of the proposed changes prior to the public hearing being held. 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 a public hearing for the Sewer's Rules and Regulations to be held Tuesday, August 10, 2010, at the Greene Township Municipal Building, 1145 Garver Lane, Scotland, Pennsylvania, at 7:00 P.M., prior to the Regular Meeting.

The Township Engineer, Mr. Gregory Lambert, stated the Township holds a \$150,000 bond for stormwater, curbing and sidewalk issues that need to be completed in the Scotland Run Development and the impending expiration of said bond (in the form of a *Letter of Credit*). Mr. Lambert stated he has been working with Ms. Wanda Evangelisto and Mr. Dale Welke regarding this development to get issues resolved. He stated both parties are agreeable to renew the bond for the full amount but hesitant because it has been several years and they would need to have a contract with R & D (Contractors) in place before the end of the month. The Solicitor inquired as to the bond expiration and stated the bond must be renewed whether a contract is in place or not and advised Mr. Lambert to send notice the Township is calling the bond; he stated he did not want the bond to expire. The Chairman stated the Township must have this by the 30<sup>th</sup> (of the month) by having a contract and a new bond or the Township will call the bond if not in place by July 1 and the Solicitor stated he would be comfortable with that. Discussion ensued among the Supervisors, staff, and the Solicitor including the parties must give the Township a firm date to get the bond renewed and the work completed. Supervisor Burns asked if they have been in contact with R & D and Mr. Lambert stated he has with R & D and explained what has been happening and R & D has completed the preparation of the contract and forwarded to Wanda and waiting for Wanda to sign. The Solicitor asked if the bond will cover all that needs to be done and Mr. Lambert stated there is enough money in the bond to cover the R & D contract and still enough remaining to have another contractor to place all remaining infrastructure. The value of all work that needs to be done is under \$150,000 so this bond is in a substantial enough amount. Mr. Lambert will forward another letter the next day. Mr. Tom Martin, resident of the development, asked to have the “calling the bond” defined and the Solicitor explained the workings of a bond and the process needs to be handled very carefully. Following lengthy 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 Township Engineer be authorized to forward a letter to the appropriate parties of Scotland Run Development that a contract must be in place and a copy in the Township’s possession by June 30, 2010; further, the bond must be renewed before the deadline and the Scotland Run parties have to be advised the bond is being called and the only way it would be lifted is the contract in place and equipment on site performing contract work by July 13, 2010, or the bond will be definitely called.

The Zoning Officer read correspondence regarding a request for required stakeout of property corners for land use permit issuance for Salem Road Village. The Zoning Officer stated he visited the site and on display for this meeting was a layout of the building corners as well as interior. Mr. Greg Schellhase addressed the Board on behalf of the developer this request is being made on the preliminary plan and the iron pins would be set on the final plan. He stated this request is being made due to extra surveying, etc that would be required and would like to be cost effective. He further noted they have certificates for two (2) surveyors hired to be sure all construction is done properly and after concrete is poured surveying would again be checked to be sure the building is set properly. He stated that all iron pins and flag stakes would be set at final for final inspection and this is the total construction (townhomes) planned for this year. The Zoning Officer stated that if the Board entertained and considered for approval this request, he would recommend that Mr. Schellhase’s surveyor be required to provide proper certification of the project to the Township. The Chairman voiced concern that it be ensured the building is set correctly and Mr. Schellhase stated that is why they stay

as close to the project as possible. Supervisor Burns inquired as to the corner of the lots and the staking of the lines and Mr. Schellhase stated that iron pins are all set accordingly. Supervisor Burns noted that what is actually being requested is relief from setting stakes during the process of equipment moving about and knocking them out, etc. Mr. Schellhase stated they are requesting relief from setting only on the corners and not interior because they would be destroyed during construction; that is why pins are set in footer. During this lengthy discussion, Supervisor Burns asked Mr. Schellhase if he would be acceptable to having a surveyor perform what was recommended by the Zoning Officer earlier and Mr. Schellhase stated 'yes'. Following further 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 regarding required stakeout of property corners for land use permit issuance for Salem Road Village be granted with the condition that all outside corners on that property will be staked and corners and offsets of the actual building will be noted to be sure it meets all setback requirements and after the footers are poured, a surveying firm will verify where the interior lot lines of each individual unit falls in compliance and a certified copy be given to the Township from the surveyor.

The Zoning Officer read correspondence received of a request regarding installation of concrete park stops on a driveway on Lot 72, Salem Road Village. The ZO noted there is additional information included with this Meeting's Agenda. He stated the developer is requesting that rather than the 5-1/2 inch elevation they be permitted to install concrete park stops only on the driveway of Lot 72. Mr. Greg Schellhase addressed the Board on behalf of the developer stating the reason they wish to use the concrete stops is so that rain will go through and into the stone base rather than onto the street and that particular lot (#72) had its elevation raised and was beginning at a fairly steep slope; asking to install pre-cast concrete only for this lot. Supervisor Burns asked if that would take care of the entire length and would stop vehicles. The Chairman asked the ZO if any note was needed on the plan and the ZO stated the Board could recommend a note be placed on the plan. The ZO stated that Mr. Schellhase had submitted a revised page of the plan and a note could be placed and be part of recording at Township and Court House. Following discussion and consideration of this request, 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 regarding installation of concrete park stops on the driveway of Lot #72 only, Salem Road Village, be granted and to be placed at the edge of the sidewalk to prevent vehicles from driving on the sidewalk area and curb stops be pinned and a note placed on the plan and they must remain in place.

The Zoning Officer read correspondence from Mr. Andrew Miller, Site Project Manager of LSC Design, of a request review time extension for Rutter's Farm Store #5; revised plan was received by Township, reviewed by Township Planning Commission with recommendation for approval with conditions; current deadline is June 24, 2010. Mr. Lambert stated he has received notification the traffic signal permit has been revised and the two remaining issues of the planning engineer is the right turn on (Route) 997 and the traffic signal at (Routes) 997/30. The ZO stated he had left a voice message to Mr. Miller but has received no response by this meeting time. The Chairman noted the length of time this plan has been in the process stating not sure why the delay on agreements, etc. Supervisor Burns noted he understood there were traffic signal problems but also agreed that he was not sure

why signed agreements were taking so long. Following discussion and review, 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 Rutter's Farm Store #5 for additional ninety (90) days commencing June 24, 2010, be granted with the condition that any future consideration of review time extensions it must be demonstrated this plan is moving forward, agreements with adjacent property owners must be in place, and the project moving without obstruction, that is, anything beyond the control of Rutter's, i.e. PennDOT or someone else outside Rutter's control etc.

On a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted a request for refund from Donald Yeager, Jr., 955 Coldspring Road, Fayetteville, for *Application for Land Use Permit* that was not needed be approved and the fee of \$5.00 be returned to the applicant.

The Zoning Officer presented a 1-lot Final Subdivision Plan for Valley Quarries, Inc.; propose to construct small well house and well; right-of-way agreement as part of subdivision has been approved by Township Solicitor. 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 (3-10-10); Form B sent to PA DEP (3-9-10); Guilford Water Authority had no comment; Township Engineer and Planner – noted as 'ok' (6-22-10); plan was reviewed by Zoning Department with no comment and recommended approval. The Chairman inquired as to the lot size and the ZO stated it was 1/10 acre and the Subdivision Ordinance does provide for essential service permitted on small lot. The Chairman asked if the well were removed if it could be used otherwise and the ZO stated 'no' and there is a note on the plan that the lot could not be used for a residential lot. On a motion by Todd E. Burns, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted the Valley Quarries, Inc. 1-lot Final Subdivision Plan be approved as presented.

The Zoning Officer presented a 1-lot Final Subdivision/Lot Addition Plan for Ronald Gayman; one deed will be required for both lots and additional lot to be conveyed back to Hillside Poultry. The Chairman asked if the property has public sewer and the ZO stated it did when Blakewood Drive received. 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 (5-5-10); Form B sent to PA DEP (5-10-10); Township Engineer and Planner – noted as 'ok' (6-22-10); plan was reviewed by Zoning Department with no comment and recommended approval. On a motion by Travis L. Brookens, seconded by Todd E. Burns, and by a vote of 3-0, the Board unanimously voted the Ronald Gayman 1-lot Final Subdivision/Lot Addition Plan be approved as presented.

The Zoning Officer presented a 1-lot Final Subdivision/Lot Addition Plan for Salem Partners/Jeffrey Rohrer; most recent final plan submitted; Mr. Rohrer will retain Lot 23A subdivided from Lot 22 as well as keeping existing house and farm structures. 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 (6-7-10); Form B not applicable for side lot addition; Township Engineer and Planner – noted as

'ok' (6-22-10); plan was reviewed by Zoning Department with no comment and recommended approval. On a motion by Todd E. Burn, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted the Salem Partners/Jeffrey Rohrer 1-lot Final Subdivision/Lot Addition Plan be approved as presented.

Due to the recent immediate resignation of a Township Auditor, the Chairman noted the need to appoint a replacement within thirty (30) days from the resignation date. He stated the Board has spoken to a possible candidate, Carol McCoy, Scotland Road, Chambersburg. Ms. McCoy is presently employed by the Pennsylvania State Police in an administrative position, therefore, she must submit a letter to the State requesting their approval to accept the appointment. It was noted that Ms. McCoy could be appointed subject to the letter being submitted and approval being granted. 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 that Carol McCoy, Scotland Road, Chambersburg, be appointed as Township Auditor and before she can formally take the position, a letter must be received by the Township that the State is in agreement for her to serve.

The Township Solicitor had no further comments for this Meeting.

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 15517 through 15543, inclusive, to be paid from the General Fund; and, Check Number 1834 to be paid from the Liquid Fuels Fund.

There being no further business before the Board, the Chairman adjourned the Meeting at approximately 8:10 P.M..

Respectfully submitted,

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Secretary