

June 9, 2015  
Scotland, PA 17254  
Regular Meeting

The Greene Township Board of Supervisors met in regular session Tuesday, June 9, 2015, at the Township Municipal Building, 1145 Garver Lane, Scotland, PA, following a Public Hearing held to gain input regarding a Conditional Use Permit request submitted by Richard and Patricia Shoap to install a solar energy conversion system to be installed on their residence at 3361 Carnoustie Drive.

Present:

Todd E. Burns  
Travis L. Brookens  
Shawn M. Corwell

Gregory Lambert  
Daniel Bachman  
Diann Weller  
Welton Fischer

Visitor: See List

The Chairman called the Regular Meeting to order at approximately 7:08 P. M..

The Chairman noted receipt of one Sealed bid that was not identified and it could only be “guessed” as to its contents by the return address name and it could not be compared to any others for possibly the same product(s) which at this time were 89 Octane Gasoline, Ultra Low Sulphur Diesel, and #2 Fuel Oil. Therefore, based on the fact that only one single bid was received which was not opened, he felt the Township should endeavor to attract more bids and suggested the single bid be rejected and then re-advertise and re-bid for these products. He also noted the Township would have nothing to compare and would question whether the Township would be receiving the best price. The Solicitor informed the Board the bids would have to be started from “scratch” (i.e. new legal notice, new bid date, etc). The Board discussed as to the status of the current contracts and their expiration for these products and it was noted there was a recent delivery of diesel for the large aboveground tank so that should be fine. Following discussion, on a motion by Shawn M. Corwell, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted to reject all Sealed Bids for 89 Octane Gasoline, Ultra Low Sulphur Diesel, and #2 Fuel Oil due to the fact only one bid was received for this Meeting and that the bids should be re-advertised to re-bid those same items to be received no later than 3:00 P.M., prevailing time, June 23 at the Greene Township Municipal Building Office, 1145 Garver Lane, Scotland, PA, and then to be opened and read aloud that same evening at the Regular Meeting at 7:00 P.M., prevailing time, at the Township Municipal Building. The Solicitor suggested the Township contact the single bidder and let them know that one bid was received this evening and that it was not opened nor read aloud this evening.

The Township Secretary informed the Board that two (2) Sealed Bids were received for Bituminous Materials, opened and then handed each Bid to the Chairman to be read aloud. The results of those Bids are as follows:

Bidder's Name	Description	Unit Bid Price FOB Plant	TOTAL	Unit Bid Price Delivered at Job Site	TOTAL
St. Thomas Dev. Inc.	Cold Mix (25 ton)	NO BID	--	NO BID	--
	9.5 MM Superpave (9,500 ton)	62.00	--	68.00	--
	12.5 MM Superpave (500 ton)	61.00	--	67.00	--
	25 MM Superpave (5,000 ton)	51.00	--	57.00	--
New Enterprise Stone & Lime Co., Inc.  (formerly Valley Quarries, Inc.)	Cold Mix (25 ton)	107.00	DID	NO BID	DID
	9.5 MM Superpave (9,500 ton)	59.00	NOT	NO BID	NOT
	12.5 MM Superpave (500 ton)	59.00	STATE	NO BID	STATE
	25 MM Superpave (5,000 ton)	47.00	TOTALS	NO BID	TOTALS

The Township Engineer stated he had researched CoStars prices and found that Valley Quarries' bid prices were significantly under CoStars pricing and recommended taking Valley Quarries' bid prices. The Chairman thanked the Engineer for researching the items. Following review, consideration, and discussion, on a motion by Travis L. Brookens, seconded by Shawn M. Corwell, and by a vote of 3-0, the Board unanimously voted to award all Bituminous Materials to Valley Quarries based on the bid prices provided to the Township.

The Township Secretary informed the Board that two (2) Sealed Bids were received for Crushed Aggregate, opened and then handed each Bid to the Chairman to be read aloud. The results of those Bids are 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
		St. Thomas Dev., Inc.		Valley Quarries, Inc.		<b>COSTARS</b>	
1	No. 8 500 Ton	8.00	12.00	11.00	NO BID	12.80	
2	No. 2-A 8,000 Ton	5.65	9.65	5.25	NO BID	9.70	
3	Penn #1 200 Ton	8.00	12.00	8.80	NO BID	11.65	
4	1/4" Clean 200 Ton	NO BID		16.20	NO BID	NO BID	
5	Anti-Skid 12,000 Ton	NO BID		14.60	NO BID	NO BID	
6	#57 1,000 Ton	8.00	12.00	8.80	NO BID	12.40	

The Chairman asked the Township Engineer if he had CoStars prices for these items and the Engineer noted that New Enterprise / Valley Quarries is the only supplier on CoStars for the identified items; then proceeded to give CoStars prices for all items except 4 and 5 which there were no prices listed. The Board discussed the slight difference in Item numbers 3 (Penn #1) and 6 (#57) noting that when factoring in the time of personnel and use of vehicles to travel the distance, it was not beneficial to the Township to necessarily award the apparent lowest bid. The Board, however, did discuss the \$3.00 difference in Item 1 with Supervisor Brookens noting that \$3.00 per ton is a big difference. Following further review and discussion, on a motion by Shawn M. Corwell, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted to award 500 ton of No. 8 to St. Thomas Development, Inc., and 8000 ton of No. 2-A, 200 ton of Penn #1, 200 ton of 1/4" Clean, 12,000 ton of Anti-skid, and 1,000 ton of #57 to Valley Quarries as presented in their respective Sealed Bids.

The Minutes of the Public Hearing held May 26, 2015 regarding various amendments to Chapters 85 and 105 of the Greene Township Code shall stand approved as presented and become part of the official record.

The Minutes of the Regular Meeting held May 26, 2015 shall stand approved as presented and become part of the official record.

There was no comment offered by the one visitor in attendance at this Meeting.

Supervisor Brookens presented information regarding the proposed purchase of one (1) new Toro Workman MDX with accessories. The price as quoted is off CoStars Contract #4400013056 and received from CoStars Vendor, E. H. Griffith, Inc., Pittsburgh, and a copy of the quote and the information was included in their packets. Supervisor Brookens stated the Township is already using the same type of machine at the Park on a daily basis and another is needed to help with the operation; contract price is \$10,317.05 total for the Workman plus added accessories. Supervisor Corwell agreed with Supervisor Brookens that an additional one would be used every day. The Chairman also agreed and stated the current one has been well used. Supervisor Brookens stated the Workman has proven in the time the Township has had it, has been very durable, no problem with breakdowns, etc. Following review and discussion, on a motion by Shawn M. Corwell, seconded by Todd E. Burns, and by a vote of 3-0, the Board unanimously voted to purchase one (1) new Toro Workman MDX with accessories off State Contract #4400013056 from Contract Vendor, E. H. Griffith, Inc., Pittsburgh, at the contract price of \$10,317.05.

The Chairman stated that following a review of the Liquid Fuels Fund by a PennDOT monitor it was recommended the Township increase bonding for the positions of Treasurer, Secretary/Assistant Treasurer, and the Assistant Secretary who deal with these and all accounts due to the amount of funds in said accounts. Quotes regarding increases were received from Strickler Agency who currently handles all the bonds which the Board reviewed and discussed. Supervisor Corwell noted the date the quotes will be effective are only until 1.1.16 and then the annual renewals would take effect as usual. Supervisor Brookens questioned as to how often the Assistant Secretary is needed to sign checks as to

whether bonding would even be needed any longer on that position. The Township Solicitor suggested that if a position is authorized to sign then they should be bonded so the Board would have to either remove them or bond them. Following further discussion, on a motion by Travis L. Brookens, seconded by Shawn M. Corwell, and by a vote of 3-0, the Board unanimously voted to authorize bond increases for the positions of Treasurer, Secretary/Assistant Treasurer, and Assistant Secretary to the amount of \$1,000,000 each as required by the Liquid Fuels Monitor.

Supervisor Corwell presented information regarding a very small parcel (approximately 200.6 square feet) along Elevator Street near the Township Park's parking lot the Township would like to purchase to attach to the current Park property. He stated he had spoken to the owner, Bonnie Williams, regarding the purchase and that the property was appraised by Ausherman Bros. Realtors at \$400 and Ms. Williams agreed to sell the small parcel to the Township for that price. He would recommend the Township purchase this small parcel and further stated the Township actually needs that parcel because the Township is planning to erect a fence down through the area. The Chairman noted this very small parcel is insignificant in size but important to the Township to erect the fence for better security. The Township Solicitor stated if the parcel is purchased it would be treated as a lot addition to the Township property and would go through the process. Following review and discussion, on a motion by Travis L. Brookens, seconded by Shawn M. Corwell, and by a vote of 3-0, the Board unanimously voted to purchase the Williams parcel adjacent to the Township Park in the amount of \$400. The Solicitor stated in that context the Township could begin the process of subdivision by entering into an Agreement of Sale contingent on that. The Solicitor will prepare the Agreement of Sale but it will be contingent on approval of the subdivision/lot addition.

The Board reviewed the Fayetteville Volunteer Fire Department Fire Police Report for May 2015, accepting it as presented, and it shall be made part of the record.

Supervisor Corwell presented a request from the Fire Chief of Fayetteville Volunteer Fire Department, William Wishard, to appoint a new fire police officer for the Department, said person being Dan Whitfield. Supervisor Corwell stated Mr. Whitfield has been a member of the Department for some time and would like to serve as a fire police. Supervisor Corwell noted there are currently only three (3) fire police for the Department at present and would recommend approval of Mr. Whitfield. On a motion by Travis L. Brookens, seconded by Todd E. Burns, and by a vote of 3-0, the Board unanimously voted to appoint Mr. Dan Whitfield as a new fire police for Fayetteville Volunteer Fire Department as presented.

Supervisor Corwell presented a request for the consideration of Air 10 Active Roster noting that Air 10 is the air unit for the entire County. He stated they had submitted their roster to the Township because we (the Township) pay their Workman's Compensation (WC) due to their operation being located within the confines of the Township. He stated that he and the Township Solicitor had been working for awhile to determine whether the Township had to cover WC. Supervisor Corwell stated that it has been discovered that Air 10 has a

member on the roster who is currently listed on the "Megan's Law" list. Following his research, he found that only an act of arson is automatic dismissal from the roster so it is up to an individual company whether to allow a member on its active roster. Supervisor Corwell continued by stating he was morally against this individual, the individual serves as captain, and is son of their chief. His name is on the roster and was checked again on "Megan's Law" and is listed as Tier 1 offender which means he has to register (with State Police) for fifteen years. Supervisor Corwell stated he could not recommend this individual and would not know where we (the Township) stood legally and questioning that at this point in time. The Solicitor stated he would need to research to check which specific crimes are listed and whether the Board would need to reject the entire roster or just an individual on it. He further noted that normally fire companies have what is known as a "morals clause" which would not be covered under WC. He does not know if there is fire department criteria that deals with the issue at present; not a Township requirement but their (fire company) requirement. He stated he would have to research the matter in order to properly answer questions regarding same. Supervisor Corwell asked the Solicitor what would be the reason the Township could accept the roster to cover WC and the Solicitor stated by identifying the roster as submitted. Supervisor Brookens inquired that when a roster is created and submitted, if the individual company is approving those persons and the Solicitor stated that the law states only a person convicted of arson may not serve as a volunteer. To which Supervisor Brookens noted that having this discussion is a 'moot point' and the Solicitor stated they are fire company rules and they have to enforce them, not the Township. The Chairman noted the Township needs to cover Air 10's WC because they are 'stationed' in the Township, however, their operation supports all County fire departments on emergency scenes. The Solicitor noted that because the Borough of Chambersburg is self-insured, they do not cover WC for the Franklin Fire Company although the station is located within the confines of the Borough. The Chairman asked Supervisor Corwell what stations use Air 10. Supervisor Corwell stated that as of the end of June Washington County will no longer be serving the southern portion of Franklin County and that Pleasant Hall utilizes Air 53. A primary concern of the Board is the fact that Air 10 responds throughout the County but WC is only covered and paid by the Township when it is in fact a 'County' operation. More discussion ensued regarding WC coverage for various companies, costs associated, etc. The Chairman inquired if Air 10 responds in the Borough of Chambersburg and Supervisor Corwell stated 'yes'. Supervisor Corwell continued by noting the County (Commissioners office) covers Air 10's vehicles and their maintenance, gives a monetary donation but they do not cover WC for them (Air 10). The Solicitor noted in the discussion that the Franklin's WC cost is shared by the communities they serve (Greene, Guilford, Hamilton). The Chairman asked the Solicitor to confirm that the Board's obligation is whether to approve Air 10's active roster and that WC is a side note to their roster and the Township decides whether to approve the roster. The Solicitor suggested to the Board that due to the discussion, questions, concerns, etc expressed specifically by the Board regarding this matter, they could table the matter until the next meeting and allow him some time to research it. Some further discussion ensued among the Board with the Solicitor regarding whether they would approve or reject the entire roster because of this individual or approve subject to removal of his name. The Solicitor stated he understood what they were trying to resolve and why he suggested tabling the item until he had time to research the matter. Following the lengthy review and discussion, on a motion by

Travis L. Brookens, seconded by Shawn M. Corwell, and by a vote of 3-0, the Board unanimously voted to table the consideration of Air 10 Active Roster until the next scheduled meeting to be held June 23, 2015 allowing time for the Township Solicitor to research the matter.

The Township Engineer presented a request for plan review escrow refund for Divinity Investments LLC Land Development Plan, Project #14-010; property located in Grand Point Crossing Development; Plan recently approved and is complete, however, there is a section of roadway that needs to be built and inspected; submitted original escrow of \$1,500; \$325 expended in fees; received letter of request for refund of remaining \$1,175, however, need to retain \$500 for remaining street work; recommend partial refund of \$675 at this time with check payable to Divinity Investments LLC. Following review and consideration, on a motion by Shawn M. Corwell, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted to grant a partial refund for the Divinity Investments LLC Land Development Plan in the amount of \$675 with check payable to Divinity Investments LLC and retain \$500 for future inspection of the project.

The Township Engineer presented a request for plan review escrow refund for the Lois White Subdivision, Project #15-005; property located off Walker Road; Plan recently approved; submitted original escrow of \$1,500; \$778 expended in fees; received letter of request for refund of remaining \$722; no retainage required; recommend full refund of remaining \$722 with check payable to "White-Mar Farm, Lois M. White". Following review and consideration, on a motion by Travis L. Brookens, seconded by Shawn M. Corwell, and by a vote of 3-0, the Board unanimously voted to grant a full refund of the remaining \$722 for the Lois White Subdivision, Project #15-005, check to be made payable to "White-Mar Farm, Lois M. White".

The Township Engineer presented a request for plan review escrow refund for Ogburn Subdivision/Lot Addition Plan, Project #15-008; small lot addition for property located on Stillhouse Hollow Road; Plan recently approved; submitted original escrow of \$1,500; \$508 expended in fees; received letter of request for refund of remaining \$992; no retainage required; recommend full refund of remaining \$992 with check payable to Gregory E & Joan M Haller. Following review and consideration, on a motion by Shawn M. Corwell, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted to grant the request for refund of the remaining plan review escrow for the Ogburn Subdivision/Lot Addition Plan, Project #15-008, in the amount of \$992, check to be made payable to Gregory E & Joan M Haller.

The Township Engineer presented a request for plan review escrow refund for the Roger Wingert Land Development Plan, Project #15-010; property located off Route 11 (Philadelphia Avenue) near Greenvillage; Plan recently approved; submitted original escrow of \$2,500; \$538 expended in fees; received letter of request for refund of remaining \$1,962; no retainage required; recommend full refund of remaining \$1,962 with check payable to Roger Wingert. Following review and consideration, on a motion by Travis L. Brookens, seconded by Shawn M. Corwell, and by a vote of 3-0, the Board unanimously voted to grant the request for full refund of remaining \$1,962 for the Roger Wingert Land Development Plan, Project #15-010, check to be made payable to Roger Wingert.

The Township Engineer presented a request for plan review escrow refund for Chambersburg First Church of God Final Land Development Plan, Project #15-004; property located at the intersection of Grandpoint and Kohler Roads; Plan recently approved, however there is a substantial amount of sidewalk work to be inspected; submitted original escrow of \$3,000; \$2,062.08 expended in fees; received letter of request for refund of remaining \$937.92; recommend retaining \$500 for future sidewalk work inspections; recommend partial refund of \$437.92; check to be made payable to Chambersburg First Church of God. Following review and consideration, on a motion by Shawn M. Corwell, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted to grant a partial refund of the plan review escrow in the amount of \$437.92 with check payable to Chambersburg First Church of God and retain \$500 for future inspections.

The Zoning Officer presented and reviewed the Monthly Zoning Office Report for May 2015. It was consensus of the Board the Report shall stand approved as presented and become part of the official record.

The Zoning Officer presented a request for waiver of Greene Township Code 85-51.A., *Requirement to Construct Sidewalks*, for the H. C. Gabler, Parcel 8 Land Development Plan, from Dennis E. Black Engineering on behalf of their client; property located in the Cumberland Valley Business Park in the HI (Heavy Industrial) zoning district; propose construction of open storage with roof on one side of existing structure. The ZO noted he had included a copy of the Township Code which references the standards for sidewalks. The Township Engineer noted there is very little area to put sidewalks, truck traffic and parking is widespread so there really is no place to put sidewalks even if the Township would attempt to require especially in this area. Supervisor Brookens stated this would be consistent with waivers that have been granted in the Business Park. Following review and consideration, on a motion by Travis L. Brookens, seconded by Shawn M. Corwell, and by a vote of 3-0, the Board unanimously voted to grant the request for waiver of Greene Township Code 85-51.A., *Requirement to Construct Sidewalks*, for the H. C. Gabler, Parcel 8 Land Development Plan, on the condition the Township reserves the right to require sidewalks in the future if deemed necessary and this is not a guarantee of permanent waiver.

The Zoning Officer presented a request for review time extension submitted by Kirk W. Martin, Developer, for the "Woods at Orchard Estates" (Eberly) Subdivision Plan; request extension to provide additional time for the Township and other appropriate agencies to review the relative components of the development submissions and also to allow time for the necessary corrections or revisions to address review comments. Following review and consideration, on a motion by Travis L. Brookens, seconded by Shawn M. Corwell, and by a vote of 3-0, the Board unanimously voted to grant the request for review time extension for the "Woods at Orchard Estates" (Eberly) Subdivision Plan in the amount of ninety (90) days to commence June 17, 2015.

The Zoning Officer presented a request for waiver of Greene Township Code 85-51.A., *Requirement to Construct Sidewalks*, for the Fayetteville Storage Land Development Plan as submitted by Martin and Martin, Inc., on behalf of their client, Mr. Kenneth E. Stake.

The property is located along Lincoln Way East, Fayetteville, on the former site of Larry's Mobile Home Sales, and in the HC (Highway Commercial) zoning district. Mr. Bill Kick, P.E., Martin and Martin, Inc. addressed the Board noting the justification for the request; namely, absence of adjacent businesses, minimal traffic flow, nothing to connect to at present. The Township Engineer inquired if there were any sidewalks along a small portion of Fayetteville Main Street and Mr. Kick stated he did not know at this time. The Township Solicitor reminded the Board that one justification that cannot be considered would be there are no sidewalks in the adjacent area now but there could be required in the future. Supervisor Brookens inquired as to what is planned for the future of this property and Mr. Kick stated the area to the west is to remain undeveloped and that another area was originally to be combined to Fayetteville Commons but never transpired. Mr. Kick further noted the owner's intent may be to subdivide some day because it is separate but at this time has no intention to develop that property. Mr. Kick stated that following the previous evening's (Township) Planning Commission Meeting, the owner may consider outdoor storage but that would be to the west. The Chairman inquired as to what type of storage was being proposed and Mr. Kick stated mixed RV storage and mini storage; buildings 1 and 2 are for RV storage noting the width and depth of said areas and the smaller areas for mini storage. The ZO asked the Solicitor about a 'tract' line shown on the plan and the Solicitor stated it would need to be dealt with because of possible pedestrian traffic or residential use in the future. He stated a waiver could be considered with reservation may be a way to deal with the matter. The Chairman asked the ZO what was located on the adjacent property and the ZO stated it is Nitterhouse/Sunnyhill Storage. Following further discussion, review and consideration, on a motion by Shawn M. Corwell, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted to grant the request for waiver of Greene Township Code 85-51.A, *Requirement to Construct Sidewalks*, for the Fayetteville Storage Land Development Plan with the condition that if sidewalks are deemed necessary in the future, they would be installed and the Township reserves the right to require them and a note as such will be added to the Plan.

There were no Subdivision and/or Land Development Plans to be presented at this Meeting.

The Township Solicitor stated he had no further comments to offer at this Meeting.

On a motion by Travis L. Brookens, seconded by Shawn M. Corwell, and by a vote of 3-0, the Board unanimously voted to authorize the payment of invoices as follows: Check Numbers 22921 through 22961 with one online pay, inclusive, to be paid from the General Fund; Check Numbers 3183 through 3185 with one online pay, inclusive, to be paid from the Liquid Fuels Fund; and, one online pay to be paid from the Electric Light Fund.

There being no further business before the Board for this Meeting, the Chairman adjourned at approximately 8:32 P.M..

Respectfully submitted,

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Secretary