

July 27, 2010
Scotland, PA 17254
Regular Meeting

The Greene Township Board of Supervisors met in regular session Tuesday, July 27, 2010, at the Township Municipal Building, 1145 Garver Lane, Scotland, PA, following five (5) Public Hearings.

Present:

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

Daniel Bachman
Gregory Lambert
Andrew Paszkowski
Diann Weller

Visitors: See list

The Chairman called the Regular Meeting to order at approximately 7:27 P. M..

The Minutes of the July 13, 2010 Regular Meeting shall stand approved as presented.

The Chairman noted current legislation being proposed that would eliminate local government and let the county handle all the work of Townships and Boroughs. He stated the State organization (PSATS) is opposed and stated he is very opposed and noted the amount of taxes by state and federal (governments) compared to how local municipalities handle funds within their budgets. Supervisor Burns concurred with the Chairman's comments. Supervisor Brookens also agreed and further noted he could only imagine how the county would handle all the various services that are offered by the various municipalities. Mr. Lambert asked if the local (Franklin County) COG (Council of Governments) had taken a position regarding the proposed legislation and Supervisor Burns (Township representative to COG) and Supervisor Burns stated they are opposed as well. Mr. Lambert also inquired as to the PA State Counties Associations and Supervisor Burns stated they had passed the same (opposed). The Solicitor commented that a person likes to go close and local as opposed to having to travel a long distance when wanting or needing something (i.e. a local resident going to local Township office). Supervisor Burns noted on the concept of "representation and service" provided by local officials. 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 to approve Township **Resolution No. 16-2010** regarding opposing elimination of local governments (House Bill 2431).

The Township Engineer, Gregory Lambert, stated the Township has received a commitment from federal government for funding for improvements to the intersection of State Routes 11 and 997. He stated the Township will act as a "Project Sponsor" with PennDOT and one of the requirements is that the Township is responsible for retaining consultant for the project. He noted the Township recently had an initial meeting with PennDOT officials and the Township was briefed on the project. The first step is to advertise for a consultant; there are then three steps in securing a consultant: first making a request for "statement of interest" which can only be PennDOT-qualified firms. This encompasses a 21-day period in which a short list is sent to three firms requesting their technical proposals; then one firm is chosen to negotiate and sign a contract. The expected timeline is to have

recommendations to the August 24 or September 14 (2010) Supervisors Meeting; then finally have consultant in place either by September 28 meeting or first meeting in October; finally, go through the reimbursement portions of project for consultant. Having informed the Board of the necessary process, the Engineer stated he needed to advertise the "statement of interest" in order to obtain a State (qualified) list and the Township could proceed. Supervisor Burns asked the Engineer if the timeline he stated would give everyone time for advertising, replying, etc and the Engineer stated 'yes'. Some discussion ensued as to when to take "statements", make decision, etc, and it seemed the consensus to obtain a State list would be August 24. Following discussion of this matter and there being no further comments from either the Board or the Township Solicitor, 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 and Secretary be authorized to advertise for "statements of interest" from consulting firms and they be submitted to the Township by August 24, 2010, no later than 4:00 P.M., prevailing time.

The Township Engineer, Gregory Lambert, stated at a previous meeting the Township wanted to award the bid for the Brindle Road bridge project but needed some right-of-way from the 'Brindle Estate' but was informed those involved with the Estate needed more time to consider the Township's request. He stated that since that time, it has been discovered the County has an adjacent bridge and a County official showed a right-of-way drawing for that bridge that encompassed a 60-foot right-of-way instead of 30 feet (needed by the Township) and now appears to have enough room to continue the bridge work, therefore, the Township will not need any extra but the Township should keep in contact with the 'Brindle Estate' to keep them informed. Mr. Lambert stated he has been in contact with David H. Martin Excavating, Inc., apparent bidder to be awarded the contract, and they are ready to begin the project as soon as they can. He informed the Board that his recommendation would be to authorize Martin to proceed forward and also to keep Brindle heirs advised. The Chairman commented he would agree to award the bid to Martin but not have them move forward with the project until such time as the Brindle heirs are contacted and thought it would be better to obtain a temporary construction easement noting a 'ponding' problem with standing water in the area. Supervisor Burns asked if a meeting had been set (with Brindle heirs) and Mr. Lambert stated he has spoken with them and they will be in touch with him and meet with the Township as soon as they can make arrangements. It was noted the heirs do not living in the area and must make arrangements. Supervisor Brookens asked if Martin will still honor original bid price and Mr. Lambert stated 'yes' because Martin wishes to get some experience from this type of project and be able to market themselves more accordingly. Supervisor Burns asked if there would be any more cost to the project having to work from a farther distance and Mr. Lambert stated the work can be done from the 'top' and that Martin can bring a large crane in and work from upstream, therefore, it does not affect them to do the work; they need only to stay within the right-of-way. Following lengthy discussion 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 that David H. Martin Excavating, Inc. be awarded the Brindle Road Bridge project for the bid price as quoted with the condition they not move on site until such time the Board meets with the Brindle heirs and work out further easements and then authorize (Martin) to move on site.

The Zoning Officer informed the Board that the Township had received a certified letter from Jay and Marlene Lytle requesting their properties in the vicinity of Pine Stump Road be enrolled in the Township Agriculture Security Area. The Zoning Officer noted the letter must be received and acknowledged by the Board and advertised accordingly. He also noted the Board usually allows the 180-day comment period to expire which would automatically accept the properties into the Ag Security. He then stated the following steps would be to contact the Franklin County Planning Commission, PA Secretary of Agriculture, and then record at the Franklin County Court House. On a motion by Travis L. Brookens, seconded by Todd E. Burns, and by a vote of 3-0, the Board unanimously voted the properties of Jay and Marlene Lytle located in the vicinity of Pine Stump Road be enrolled in Greene Township Agriculture Security Area.

The Zoning Officer presented and read correspondence from Todd and Sandy Fisher, 1597 Black Gap Road, Fayetteville, requesting to store a mobile home being renovated onto their property (second lot) as noted previously. The ZO stated the Township had received a *Land Use Permit Application* (for the mobile home) from the Fishers on June 30, 2010 but a permit could not be issued due to the sewer issue. The ZO stated this property is located in the Fayetteville interceptor sewer discharge basin and that (PA) DEP will not allow any permits to be issued in that basin at this time. The Fishers are asking to place the mobile home on either property for renovation purposes only until the sewer issue has been resolved. The ZO asked Mrs. Fisher (who was in attendance at this Meeting) where they plan to store the mobile home and Mrs. Fisher stated on the lower end of the vacant lot. Supervisor Brookens asked how long she (Mrs. Fisher) thought it would take to remodel until the home would be ready to occupy and Mrs. Fisher stated possibly 6 to 9 months. Supervisor Burns then asked the Township Engineer if he knew when sewer permits would begin to be issued and Mr. Lambert stated it was not known at this time, however, negotiations were on-going. The Township Planner, Andrew Paszkowski, stated he believed that with discussions occurring it could possibly be in the next few months noting there is an agreement in place and sounds 'close'. Supervisor Burns stated it still was not known what the allocation for issuing permits would be. He then asked Mrs. Fisher where the home is now and Mrs. Fisher stated 'New Franklin. The ZO commented on the renovations of the mobile home and Supervisor Burns noted that mobile homes are governed under manufacturing regulations and there are certain guidelines that must be followed. The age of the mobile home was asked and Mrs. Fisher stated in the 1970's and then explained what work was being planned. Supervisor Burns asked if the home could be remodeled where it is at present and once it is renovated moved to the Fisher property. Mrs. Fisher stated the home would not be level and then the renovations would not be in line, walls would be off center, etc. Supervisor Burns asked if there was any particular time frame for all of this work and Mrs. Fisher stated that the people they are getting this home from will be getting another home but they can't do that until this home is moved out and then the people can move in another home. The Board and Township Solicitor discussed the matter and then Supervisor Burns suggested tabling the request until the next meeting to see if more information on the sewer issue might be more available. Mrs. Fisher stated there would not be anyone living in the home and the Township would be welcome to stop and check at any time. The Chairman stated that CCIS would need to be contacted for some other matters along with the sewer issue. Following lengthy discussion and review 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 from Todd and Sandy Fisher to store a mobile home being renovated on their property be tabled until such time the matter can be explored further with DEP and other agencies and the Board can further discuss.

The Zoning Officer presented correspondence from Robert Angle, William A. Brindle Associates, Inc., regarding a request for waiver of Greene Township Code 85-51.A, requirement to install sidewalks, on behalf of George R. Harris 1-lot Final Land Development Plan; said property located at Fayetteville Main Street and McCrossen Drive. He noted that along with the waiver request there were photos provided noting the trees and utility poles that would have to be either removed or relocated and that there are no sidewalks adjacent to this property. The Board reviewed and discussed the request and how close any other sidewalks were and determined by the photos that it was quite some distance. Following review and discussion of the 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 for waiver of Greene Township Code 85-51.A, requirement to install sidewalks, for the George R. Harris 1-lot Final Land Development Plan be granted.

The Zoning Officer presented correspondence from Curfman & Zullinger Surveying, Inc. regarding a request for waiver of Greene Township Code 85-51.A, requirement to install sidewalks, on behalf of David E. Yeager 1-lot Final Subdivision Plan; said property located along Rocky Spring Road. He stated this request was the same as the previous item the Board had just reviewed and discussed. Supervisor Burns asked if this was one lot and the ZO stated that was correct. Following review of the 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 waiver of Greene Township Code 85-51.A, requirement to install sidewalks, for the David E. Yeager 1-lot Final Subdivision Plan be granted.

The Zoning Officer presented a 1-lot Final Land Development Plan for Access Properties, LLC/Steve Hornbaker; said property located at the intersection of Letterkenny Road West and Carbaugh Avenue; formerly the Bell Trucking Company; propose addition onto an existing commercial building; previously approved the subdivision plan. 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); Franklin County General Authority – approved (7-1-10); Franklin County Conservation District noted ‘adequate’ (6-8-10); Township Engineer and Planner comments were attached (no stormwater bond required) and stated that previous comments had been addressed and recommended approval (7-27-10); plan was reviewed by Township Planning Commission at their meeting held July 12, 2010 and they recommended approval subject to all comments being satisfactorily addressed; property located in TSA-2 so transportation impact fee required would equate as follows: 2 trips @ \$1,503 each = \$3,006 total due. Following review of the 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 Access Properties, LLC/Steve Hornbaker 1-lot Final Land Development Plan be approved and that upon application for a “*Land Use Permit*”, the traffic impact fees of \$3,006 must be paid.

The Zoning Officer presented a 1-lot Final Subdivision/Lot Addition Plan for Dan Ryan Builders/Guilford Water Authority; said property located on Appleton Drive; proposed subdivision/lot addition noting it was a previous subdivision of Lots 29 and 30 with property line reverting to original; right-of-way access agreement has been provided and shown on the plan how to access the well. Supervisor Brookens asked the Township Solicitor if this was taking a 'non-buildable' lot to become a 'buildable' lot and the Solicitor stated this constitutes a subdivision plan and does not think the Township has to do anything differently. The ZO stated that when the Upland Estates Plan was approved, it was a building lot at that time. 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 (6-25-10); Greene Township Municipal Authority – n/a; Sewage Enforcement Officer – non-building waiver acknowledged by PA DEP (6-17-10); Township Engineer and Planner comments were attached (no stormwater bond required) and stated that previous comments had been addressed and recommended approval (7-15-10); plan was staff reviewed by Township Zoning Office with no comment and recommended approval. 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 the Dan Ryan Builders/Guilford Water Authority 1-lot Final Subdivision/Lot Addition Plan be approved as presented.

The Zoning Officer presented an 18-lot Final Subdivision Plan for Carranante Townhomes; said property located on McCleary Drive; propose construction of townhomes; newly constructed roadway will be private. 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 at 'preliminary' with no further comment; Greene Township Municipal Authority – approved with recommended sewer bond in the amount of \$22,605 (6-11-10); Sewage Enforcement Officer – planning exemption forwarded and approved by PA DEP (10-28-96); Guilford Water Authority – approved and water bonding amount to be provided later (7-22-10); Franklin County Conservation District – noted as 'adequate' (10-2-09); Township Engineer and Planner comments were attached noting previous comments have been addressed and the Engineer recommended a stormwater bond be posted in the amount of \$318,900; plan was reviewed by the Township Planning Commission at their meeting held June 14, 2010 and recommended approval subject to comments being addressed; transportation impact fee of \$1,720.83 per dwelling unit required at time of application for "*Land Use Permit*"; recreation impact fee of \$9,000 required. 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 the Carranante Townhomes 18-lot Final Subdivision Plan be approved with conditions: the plan not be released by the Township until the stormwater bond amount has been determined and the recreation impact fees of \$9,000 have been posted and upon application for "*Land Use Permit*", the transportation impact fee of \$1,720.83 per dwelling unit be posted.

The Township Solicitor had no further comments for this Meeting.

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 15629 through 15661, inclusive, to be paid from the General Fund; and, Check Numbers 1842 through 1844, inclusive, to be paid from the Liquid Fuels Fund.

There being no further business before the Board for this Meeting, the Chairman adjourned at approximately 8:29 P. M..

Respectfully submitted,

Secretary