

July 11, 2017
Scotland, PA 17254
Regular Meeting

The Greene Township Board of Supervisors held a Regular Meeting on Tuesday, July 11, 2017 at the Township Municipal Building, 1145 Garver Lane, Scotland, PA.

Present:

Todd E. Burns

Travis L. Brookens

Shawn M. Corwell

Gregory Lambert

Daniel Bachman

Diann Weller

Welton Fischer

Visitors: See list

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

The Chairman noted the Township had advertised and received Sealed Bids for *Bituminous Materials 2017* which were opened and read at their June 27, 2017 Regular Meeting. The consideration to award said bids was tabled to this Meeting to allow sufficient time for the full Board to review. He noted that New Enterprise Stone & Lime Co., Inc. was low bidder for Cold Mix and that 9.5 MM and 25 MM (Superpave) CoStars prices from various bidders were actually lower than quoted bid prices. It was noted the Board could award the Cold Mix contract and reject all bids for 9.5 MM, 12.5 MM, and 25 MM (Superpave) and proceed with CoStars pricing. The Chairman stated that St. Thomas Development was contacted because they did not bid on delivery of items and was informed that St. Thomas charges \$80 per hour to deliver which was a deviation from the bid specifications and was not acceptable. St. Thomas stated it was not profitable for them to deliver. Supervisor Travis Brookens also noted the Liquid Fuels representative had stated that St. Thomas had changed bid documents the previous year which was not legal. The Township Engineer stated the Board has the prerogative to use CoStars prices at any time if the Board found those prices more favorable. The Chairman again noted the Board had the option of rejecting all bids for Superpave and use CoStars prices to which the Solicitor confirmed. Supervisor Shawn Corwell inquired if there was a reason why there was not a CoStars price for 12.5 MM and the Township Engineer stated it is not a very popular product to use. Supervisor Brookens noted that entities tend to use 19 MM and was quite certain the Township had not used 12.5 MM, if ever. Following review, discussion, 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 award the Sealed Bid for *Cold Mix* to New Enterprise Stone & Lime Co. for 2017 at their bid price of \$118.00 per ton, and, reject Sealed Bids for 9.5 MM, 12.5 MM, and 25 MM as received and utilize CoStars pricing.

At this time, the Chairman informed all those persons present that the Meeting was being recorded.

The Minutes of the Regular Meeting held June 27, 2017 shall stand approved as presented and become part of the official record.

There was no public comment offered at this time.

The Township Engineer presented information regarding consideration of a “Memorandum of Understanding” (MOU) between the Franklin County Conservation District (FCCD) and Greene Township Board of Supervisors. He explained the relationship the Township has with the District who administers Chapter 104 for erosion and sedimentation regulations and NPDES permitting for the County and the Township is part of that program. The MOU discloses what is expected of each party and this MOU will be the update to meet the requirements of the MS-4 program. He stated a series of meetings have been held to review the proposed MOU. The Solicitor noted a prior issue whereby the District wanted enforcement to be handled by the Township and inquired if that had been resolved. The Engineer stated ‘yes’ and that persons are made aware of requirements at the time of Land Use Permit Application process. The Solicitor stated that what was being dealt with before was if there was a violation then the Township would prosecute and Supervisor Corwell stated that had been removed and now states “at their discretion”. The ZO noted item II. B. that states the Township could withhold final approval subject to the District’s final approval and asked the Solicitor if that was acceptable and the Solicitor stated the Township would give final approval. The Solicitor cited a court case whereby approval could not be withheld but could place conditions. Discussion ensued further regarding the approval issue and the Chairman stated there is a gray area whereby a State agency says one thing and Township rules say something else. The Solicitor stated that before giving an opinion he would like an opportunity to compare the proposed MOU to the Township Code having not seen this document prior to this Meeting. Supervisor Brookens stated it appears to contradict Township ordinance. The Chairman saw no issue to tabling consideration of the MOU and asked the Township Engineer if there would be an issue relative to MS-4. The Engineer stated it needs to be completed soon but could hold until the next Meeting (July 25) noting there is no deadline for MS-4 prior to the next Meeting on July 25. On a motion by Shawn M. Corwell, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted to table consideration of the “Memorandum of Understanding” between Franklin County Conservation District and Greene Township Board of Supervisors until the next Meeting (July 25, 2017).

The Township Engineer presented a request for release of remaining plan review escrow submitted on behalf of Blue Ridge Landfill Land Development Plan, Project #16-006; said Plan approved in February 2016. An original escrow of \$15,000 was submitted with second escrow installment of \$9,415.62; expended \$14,668.46 in fees; Engineer recommended \$500 be retained by the Township and recommended a partial refund in the amount of \$9,247.16; check to be made payable to Waste Connections, Inc.. The Engineer noted the requested \$500 to be retained for stormwater inspections and facilities that will need to be built during the expansion. The Chairman inquired if any of this pertained to escrow for road bonding and the Engineer stated ‘no, that’s all contingent upon approval’. The Engineer stated he had reviewed the HOP (Highway Occupancy Permit Application as submitted to PennDOT) and will follow up the following day to determine the status. 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 release of partial refund of the plan review escrow for Blue Ridge Landfill Land Development Plan, Project #16-006, in the amount of \$9,247.16 with the Township retaining \$500 for future stormwater inspections and the check be made payable to Waste Connections, Inc..

The Township Engineer presented a request for release of remaining plan review escrow submitted on behalf of LIDA Parcels 3-89-4, 6, 9, 11, and 12 Subdivision Plan, Project #17-003. The Engineer stated this was a consolidation plan for LIDA. An original escrow of \$2,500 was submitted; expended \$530 in fees; no retainage required; Engineer recommended release of full refund of the remaining amount of \$1,970; check to be made payable to "LIDA". On a motion by Travis L. Brookens, seconded by Shawn M. Corwell, and by a vote of 3-0, the Board unanimously voted to release the remaining plan review escrow for LIDA Parcels 3-89-4, 6, 9, 11, and 12 Subdivision Plan, Project #17-003, in the amount of \$1,970; check to be made payable to "LIDA".

The Township Secretary presented a request for refund of softball field rental fee submitted by Jason Blank who cancelled the reservation originally scheduled for August 26. 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 to refund the softball field rental fee of \$300 to Jason Blank following cancellation of said reservation.

The Township Secretary presented a request for refund of small pavilion rental fee submitted by Mr. William Martin who cancelled the reservation originally scheduled for September 9. The request was submitted per pavilion rental requirement that allows for a full refund if cancelled within 48 hours of event. 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 to refund the small pavilion rental fee to Mr. William Martin in the amount of \$45.

Each Board Member received a copy of the Fayetteville Volunteer Fire Department Fire Police Monthly Report for June 2017 for their review. It was consensus of the Board that the Report shall be accepted and become part of the official record as submitted.

The Zoning Officer presented written correspondence from Mr. Elam Reiff, developer of Beacon Light Estates, requesting a waiver of Greene Township Code 67-18.C(4), *Reservation for Builders/Developers*. The Township Code limits a developer of spec homes to be allowed to receive only two (2) sewer taps and only can occur when ownership of a purchased property is first proven. The provision was placed when the sewer moratorium was implemented because at that time the Township's concern was that only forty (40) total taps were being allowed by PA DEP. Mr. Reiff was requesting a total of six (6) sewer permits for the remainder of 2017 upon presentation of proof demonstrating that a contract has been signed and/or that a property has sold and been settled. The ZO stated he had discussed the request with GTMA (Sewer Authority) and was informed that DEP has continued with a Consent Order and allowing additional connections and the Authority to accumulate; no one is waiting for a connection other than a developer. Supervisor Corwell asked Mr. Reiff if he was planning to obtain all six at once and Mr. Reiff stated he would obtain two at a time until December (2017). The Solicitor stated the provision was placed to prevent anyone from reserving many permits that would prevent anyone else from obtaining. Supervisor Corwell cautioned that GTMA be contacted as to a time limit when a tap-in must be used. The ZO stated that only the Township (Supervisors) is waiving the requirement and anyone must still adhere to GTMA's regulations. Supervisor Brookens noted although the State has allowed GTMA to accumulate that being a

concern initially but still a good idea to keep in place. The Chairman agreed with Supervisor Brookens and both agreed to having no issue in waiving the condition for Mr. Reiff at this time, however, the waiver would only be provided in this case. 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 67-18.C(4), *Reservation for Builders/Developers*, for Elam Reiff, Beacon Light Estates, to allow Mr. Reiff to obtain up to six (6) sewer permits for the remainder of 2017.

The Zoning Officer presented written correspondence from Mr. John Pheasant for waiver of Greene Township Code 101-5, *Minimum 30' Setback of Well From Building Foundation*, for Michaux State Forest Cabin Lease 1-C-4, Perry Drive. Mr. Pheasant submitted an application for a well permit and upon inspection it was discovered the proposed well location did not meet the setback requirement; currently no well located on the property. The ZO stated he met with Mr. Pheasant and a representative of Negley's Well Drilling on site regarding whether a well could be placed within regulation on the property or not. The ZO provided the following background information: PA DCNR (Department of Conservation and Natural Resources) does not allow any new construction unless approved for leased area; well driller concerned where he could place equipment due to grade of land; lessee only allowed to cut down perhaps one tree on site; topography is major issue as to where the well could be dug. In addition, according to Mr. Pheasant's correspondence, he also offered the following: leased lot size is 100 feet by 125 feet and totally covered with mature trees except for space occupied by cabin and driveway; latrine is placed on one side of lot and proposed well site would be on extreme opposite side of lot; latrine is currently not in use; will utilize waterless toilet inside cabin; cabin does not have bathtub or shower and none proposed to be installed; would have few to no visitors; when using cabin would use paper plates, George Foreman or microwave; purchase special soaps for (body) washing and kitchen items; if waiver approved, assures Township he would comply (completely) with all Township rules and regulations. The Solicitor inquired as to how it could be guaranteed there would be no contamination. Following discussion 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 101-5, *Minimum 30' Setback of Well From Building Foundation*, for Michaux State Forest Cabin Lease 1-C-4, Perry Drive, (leased by) John Pheasant as presented.

There were no Subdivision and/or land Development Plans presented for this Meeting.

The Chairman stated that over the course of the last year, the Board had been making updates to the Township Personnel Handbook which have been completed and the draft is being presented at this Meeting for consideration. Supervisor Corwell continued noting many of the changes were in wording and the updating was handled through a representative of Smith Elliott Kearns & Company, LLC, the firm that had prepared the original Handbook. It was also reviewed by the Township Solicitor and various staff personnel. Several categories had not been updated since 2012 and there have been changes in insurance policies, as well as state and federal regulations. He stated the same process will be again within a few years to ensure the Township stays updated on regulations that may change. Evaluation forms continue to update job descriptions and new job descriptions have been added for seasonal Park part-time co-op students/employees as well as in the Public Works department; as the Township changes so the

Handbook must change. On a motion by Travis L. Brookens, seconded by Shawn M. Corwell, and by a vote of 3-0, the Board unanimously voted to approve the update of the Greene Township Personnel Handbook as presented.

The Township Solicitor had no further comment to offer at this Meeting.

On a motion by Shawn M. Corwell, 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 25568 through 25597, one credit card payment, one online payment, inclusive, to be paid from the General Fund; Check Numbers 3360 and 3361, one online payment, inclusive, to be paid from the Liquid Fuels Fund; and, Check Number 2115 to be paid from the Electric Light Fund.

There being no further business before the Board for this Meeting, the Chairman adjourned at approximately 7:55 P.M..

Respectfully submitted,

Secretary