

July 28, 2015
Scotland, PA 17254
Regular Meeting

The Greene Township Board of Supervisors met in regular session Tuesday, July 28, 2015, at the Township Municipal Building, 1145 Garver Lane, Scotland, PA.

Present:

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

Daniel Bachman
Diann Weller
Welton Fischer

Visitors: See list

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

The Minutes of the Regular Meeting held July 14, 2015 shall stand approved as presented and become part of the official record.

There was no public comment offered at this Meeting.

The Chairman referenced correspondence received from Campbell Thomas regarding services for the next phase of the Conococheague Trail stating this would take the project to the "schematic design" following the present feasibility study being done. He reviewed the various aspects of this next phase noting the project would encompass approximately four (4) months at an estimated cost for fees and expenses at \$39,868. Supervisor Corwell inquired if this was approved at this Meeting is Campbell Thomas ready to begin and the Chairman stated 'yes'. Supervisor Brookens asked Supervisor Corwell (who serves on the Sewer Authority Board) if the interceptor project would be affected and Supervisor Corwell stated that all parties involved are attempting to coordinate projects being constructed at the same time for the least amount of interference, etc. There were no questions from any of the visitors present at this Meeting. Following 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 approve the proposal for the next phase of professional services by Campbell Thomas for the Conococheague Trail and authorize the signature of that proposal from Campbell Thomas.

The Township Secretary presented a Township Resolution which covers the disposition of certain Township records according to procedures as set forth in the Municipal Records Manual of the Pennsylvania Historical and Museum Commission, Bureau of Archives and History. The Chairman asked the Township Solicitor if he had reviewed the resolution as prepared and presented and he stated he had. On a motion by Travis L. Brookens, seconded by Shawn M. Corwell, and by a vote of 3-0, the Board unanimously voted to adopt Township **Resolution No. 17-2015** for the disposition of certain Township records as presented.

The Chairman stated that Smith Elliott Kearns and Company, LLC has prepared over the years necessary financial statements regarding the Township Pension Plan and is ready to perform those services for the year ending December 31, 2015. 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 Smith Elliott Kearns and Company, LLC to provide services in preparing financial statements in connection with the Township Pension Plan for year 2015 and authorize the Chairman to sign the letter of understanding on behalf of the Board of Supervisors.

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 Smith Elliott Kearns and Company, LLC to provide third-party administration and compliance services in connection with the Township Pension Plan for year ending December 31, 2015, and authorize the Chairman to sign the letter of understanding on behalf of the Board of Supervisors.

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 Smith Elliott Kearns and Company, LLC to provide services in connection with the Township Section 457 Plan for year ending December 31, 2015, and authorize the Chairman to sign the letter of understand on behalf of the Board of Supervisors.

The Township Solicitor presented information regarding a Tax Assessment Settlement for Montessori Academy stating he had received notification from the County Solicitor regarding the matter. He stated that in the past Montessori Academy had asked to be exempted from taxes for the County, (Chambersburg Area) School District, and Greene Township, and even though the Township does not impose a real estate tax, they were identified due to the Academy being located in the Township. He stated that Montessori has withdrawn their appeal and the matter resolved by the County and School District lowering Montessori's tax assessment to \$249,280 for a period of five (5) years after which Montessori may appeal the assessment. The Solicitor stated that Montessori will receive tax credits for taxes paid to the District for tax years 2012-2013, 2013-2014, and 2014-2015, and to the County for tax years 2012, 2013, 2014. The Solicitor stated the Settlement Agreement has been signed by the School District, Montessori, and the County Board of Assessment and is asking the Township to and are only involved because of being located in the Township. He noted the assessed valuation was reduced and Montessori is still required to pay taxes. 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 authorize the Chairman to sign the Tax Assessment Settlement for Montessori Academy as presented.

The Zoning Officer presented and reviewed the Monthly Zoning Office Report for June 2015. Following review by the Board, it was their consensus to accept the Monthly Zoning Office Report for 2015 as presented and it shall become part of the official record.

The Zoning Officer presented a 2-lot Final Subdivision Plan for Ralph Tolbert; property located between Route 30 East (Fayetteville) and Main Street (Fayetteville); propose subdivision of two (2) lots from Tolbert property; proposed lots meet standards to stand alone in the HC (Highway Commercial) zoning district; no plans for development currently; Lot #1 is to be conveyed to Fayetteville Auto Sales. The ZO stated this proposal has been on-going for quite some time with the first plan being denied by PA DEP. He stated the Township had

granted and approved a waiver from the sidewalk requirements in November 2014. The Township Solicitor noted that a 30-foot strip as currently written on the plan would not be acceptable; it would have to indicate which parcel would receive it. The Solicitor noted an issue of another municipality in a similar situation and the way the statement should be written (i.e. 'stay with residue' is sufficient). The ZO reviewed the *Approval Checklist* with the Board, each member having received a copy for their review: Franklin County Planning Commission – reviewed with no comment (10.29.14); Greene Township Municipal Authority – no development proposed (7.28.15); Sewage Enforcement Officer – planning module approved by PA DEP (7.9.15); Guilford Water Authority – no comment; Township Planner – previous comments of November 11, 2014 correspondence have been addressed to date; Township Engineer – reviewed and found plan complies with Township Ordinances governing subdivision of land and would recommend approval (7.23.15); Township Zoning staff reviewed on behalf of Greene Township Planning Commission and would recommend approval. Supervisor Brookens inquired if Lot 1 is a 'lot addition' and the ZO stated it was to be conveyed to an adjoining property, it was anticipated and the intent was as a lot addition but it could stand alone in the HC zoning district. Supervisor Brookens inquired as to recreation fees for this plan and the ZO referenced the Township Ordinance section which states if a parcel is not intended as a land use, a recreation fee is not required until being developed. There is no note on the plan that if it would be developed as residential and sometimes a developer either pays a recreation fee or land in lieu of. A note is needed on the plan referring to the Township Ordinance section. The ZO noted the one-time exemption permitted for recreation fees for residential development but a note would need to be placed on the plan if the one-time exemption were taken (Township Ordinance Section 85.18.5). 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 approve the Ralph Tolbert 2-lot Final Subdivision Plan with condition that a note be placed on the plan referencing Township Ordinance Section 85.18.K.5.

The Zoning Officer presented a 1-lot Preliminary/Final Land Development Plan for Fayetteville Storage; property located along Lincoln Way East (Fayetteville) in the HC (Highway Commercial) zoning district; propose construction of storage area; preliminary is for the area fronting on Route 30 and then later propose more development for the lot; site will be fenced with gate access intended for emergency use only and not by patrons; no water or sewer proposed. The ZO reviewed the *Approval Checklist* with the Board, each member having received a copy for their review: Franklin County Planning Commission – reviewed with no comment (5.26.15); Greene Township Municipal Authority – no comment; Sewage Enforcement Officer – Form "B" not required (5.27.15); Guilford Water Authority – no comment; Franklin County Conservation District – NPDES Permit approved (7.22.15); Alternate Township Planner – all comments from correspondence dated July 6, 2015 have been addressed; Township Engineer – all comments from correspondence dated June 8, 2015 have been addressed and would recommend approval pending receipt of stormwater bonding and traffic impact fees; Greene Township Planning Commission reviewed at their Regular Meeting held July 13, 2015 and recommended approval subject to all comments being addressed. The ZO noted the Engineer's recommended stormwater bonding in the amount of \$142,905.45 and total traffic impact fees for the entire project in the amount of \$36,036.00.

The ZO stated the Applicant does not intend to light the area, the screening to be used has been clarified with slatted fence next to residential area. The Solicitor asked the ZO who had commented that because this was being submitted as a land development only, a planning module was not required. The Solicitor stated his concern was that under the MPC (Municipalities Planning Code) once land is determined that the activity meets the definition of land development, it then becomes necessary to have a planning module. The ZO stated the comment was from the Sewage Enforcement Officer and that his rules (of sewage enforcement) are different regarding this matter. Supervisor Brookens asked the developer's engineer, Mr. Joe McDowell, who was in attendance at this Meeting, who was going to utilize the gate and Mr. McDowell responded that it is to be used by emergency responders only and not to be used by tenants. Mr. McDowell indicated on the plan where any outside storage would occur and also the location of areas for Phase 1 buildings 1-5 and Phase 2 buildings 6-11. Supervisor Brookens referenced the transportation fee and the ZO stated the fee was based on the entire project and would need to be calculated for each phase. Supervisor Corwell asked when the impact is paid; as a building is constructed; the ZO stated the impact fee is due at the time of the Land Use Permit Application process. 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 approve the Fayetteville Storage 1-lot Preliminary/Final Land Development Plan with condition the stormwater bond of \$142,905.45 be posted and the traffic impact fees be posted at the issuance of the Land Use Permits.

The Zoning Officer presented a 1-lot Final Land Development Plan for H. C. Gabler, Inc.; property located at the intersection of Advantage and Opportunity Avenues, Cumberland Valley Business Park, in the HI (Heavy Industrial) zoning district; construction proposed in two (2) phases of open-air warehouse; sidewalk waiver was granted by the Board in June (2015). The ZO noted that Parcel #8 was granted variances in 2000 by the Township Zoning Hearing Board for a much larger building but now broken in to overhead structure; parking also received variances. The ZO reviewed the *Approval Checklist* with the Board, each member having received a copy for their review: Franklin County Planning Commission – reviewed with no comment (5.26.15); Franklin County General Authority – approved (5.27.15); Franklin County Conservation District – approved (5.1.15); Township Planner's previous comments have been addressed; Township Engineer – noted comments have been addressed, recommend stormwater bond in the amount of \$2,760 and when paid would recommend approval; Greene Township Planning Commission – reviewed at Regular Meeting held June 8, 2015 and recommended approval subject to e and s note, traffic fee, and bonding; traffic impact fee – TSA-1, 14 new trips for a total of \$35,770. 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 approve the H. C. Gabler 1-lot Final Land Development Plan with condition the stormwater bond in the amount of \$2,760 be posted and the traffic impact fee in the amount of \$35,770 be posted at the time of the Land Use Permit Application process.

Supervisor Brookens and Director of Parks and Recreation noted the completion of the 6-month probationary period for Kyle Patterson, Park Facilities Manager, on July 20. He stated Mr. Patterson duties have included maintaining the Park facilities, soccer and ballfields, etc, and has been doing a very good job with the tasks he has been given in addition to other projects such as installing bird feeders, landscaping, and working with two (2) summer interns. He stated he would like to move Mr. Patterson to regular full-time status and qualify him for full-time benefits, etc. Chairman Burns agreed with Supervisor Brookens' noting the tree planting during the spring as well as other projects and brought much outside help to assist him for successful projects and there are others planned for the near future. Supervisor Corwell stated he also agreed with the comments and that Mr. Patterson was doing a good job. Supervisor Brookens also recommended a wage increase for Mr. Patterson of 50-cents per hour. On a motion by Shawn M. Corwell, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted to move Mr. Kyle Patterson from 180-day probationary period to permanent status as a Township employee retro to July 20, eligible for full-time benefits, and a merit increase of 50-cents per hour also retroactive to July 20.

The Township Solicitor had no further comment to present 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 23120 through 23148, four online payments, inclusive, to be paid from the General Fund; Check Numbers 3192 through 3195, with one online payment, inclusive, to be paid from the Liquid Fuels Fund; and, Check Number 2060 to be paid from the Electric Light Fund.

There being no further business before the Board for this Meeting, the Chairman adjourned at approximately 7:58 P.M..

Respectfully submitted,

Secretary