

September 23, 2014  
Scotland, PA 17254  
Regular Meeting

The Greene Township Board of Supervisors met in regular session Tuesday, September 23, 2014 at the Township Municipal Building, 1145 Garver Lane, Scotland, PA.

Present:

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

Gregory Lambert  
Daniel Bachman  
Gina Griffith  
Welton J. Fischer

Visitors: See list

The Chairman called the Regular Meeting to order at approximately 7:40 PM and advised that the meeting will be recorded for accuracy.

The Minutes of the Regular Meeting held September 9, 2014 stand approved as presented and become part of the official record.

There were no public comments.

Supervisor Corwell presented two (2) written quotes from Keystone Ford for the purchase of a 2015 Ford F-550 Chassis truck. The first quote is for a one-ton crew-cab truck with a U.S. Municipal body for a price of \$83,945.00 and the second quote is for a one-ton crew-cab truck with a J&J body for a price of \$80,000.00. Both quotes are Co-star pricing and does not include a trade in value. The Township currently owns a 2006 one-ton and intends to keep it throughout the winter. Supervisor Corwell noted that the new truck will have a toolbox addition for tool storage. Chairman Todd Burns stated that having a new vehicle would give the Township the option of replacing the existing truck or adding it to the fleet to provide for another snow plow operator. He indicated that he is in favor of the purchase at this point. Supervisor Brookens agreed and stated that the current one-ton truck may be the most used vehicle in the fleet and it has served the Township very well. On a motion by Travis L. Brookens, seconded by Todd E. Burns, and by a vote of 3-0, the Board unanimously voted to approve the purchase of one (1) 2015 Ford F-550 Chassis from Keystone Ford and outfit it with the J&J Body for a Co-stars price of \$80,000.00 as presented.

The Board reviewed correspondence from Smith Elliott Kearns & Company to provide services in preparing financial statements in connection with the Township Pension Plan for the year 2014. The Chairman stated that Smith Elliott Kearns has done a very nice job with the pension plan over the years and he recommends that they be reappointed. Supervisor Brookens agreed and 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 Letter of Understanding on behalf of the Board of Supervisors for Smith Elliott Kearns and Company to provide financial statements and auditing services for the Township Pension Plan for the year ending 2014.

The Board reviewed correspondence from Smith Elliott Kearns & Company to provide third party administration and compliance in connection with the Township Pension Plan for the year 2014. 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 Chairman to sign the

Letter of Understanding on behalf of the Board of Supervisors for Smith Elliott Kearns and Company to provide third party administration and compliance services in connection with the Township Pension Plan for the year ending 2014.

The Board reviewed and considered correspondence from Smith Elliott Kearns & Company to provide services in connection with the Section 457 Plan for the year ending December 31, 2014. 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 Letter of Understanding on behalf of the Board of Supervisors for Smith Elliott Kearns and Company to provide services in connection to the Township Section 457 Plan for the year ending 2014.

The Township Engineer presented the request for outstanding plan review escrow accounts to be refunded. He explained that after reviewing the records, the Treasurer discovered several outstanding escrow accounts dating from 2010 to the present. All of these projects have been completed but the Township never received a request to refund the monies. The Treasurer followed up with letters to each and has currently received eight (8) requests for refund letters. The Engineer explained that the refund requests have been compiled on a single form that can easily be read and he recommends that the outstanding escrow accounts be refunded. Supervisor Brookens questioned the single approval process of the list and the Solicitor stated that this process is acceptable, but recommended that the name and project numbers be identified as part of the motion. 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 refunding of the outstanding escrow accounts that have been completed as part of the subdivision / land development projects as follows: Scot Greene Estates, Project #10-021, payable to Scot Greene, Inc.; Air Methods Corporation, Project 11-001, payable to Air Methods Corporation; Stouffer Mechanical, Project 11-012, payable to Stouffer Mechanical Contractor; Paul Nolt, Project 11-014, Payable to Paul R. Nolt; Harry Rotz, Project 11-016, Payable to Bond Secar Management, LLC; Brownsville Church of God, Project 11-022, Payable to Brownsville Church of God; Tolbert / Wingert, Project #12-005, payable to Ralph H. Tolbert; Access Lift Equipment, Inc., Project #12-007, payable to Access Lift Equipment, Inc.

The Township Engineer presented the request from BIAPAS Corporation for the vacation of Pine Stump Road (T-613) between Philadelphia Avenue (US11) and the Cumberland Highway (SR0997). He explained that BIAPAS is a corporation who owns the Italian Village Restaurant on the quadrant across from the Sheetz store in Greenvillage. There is a small section of Pine Stump Road which is under ownership of the Township that is of no value and BIAPAS has been interested in acquiring that strip of road for possible expansion of their restaurant facilities. The Engineer explained that part of completing the US Route 11/997 Penn Dot improvement project is vacating that section of road. BIAPAS has also agreed to relinquish a small turning radius right-of-way at the intersection in exchange for vacation of the road to provide the Township with a means of a right-of-way needed for the project. The Solicitor asked if there are any utilities under the street because the law does not allow the Township to vacate a road and retain the right-of-way, and the Engineer stated that there is no sewer or water in that right-of-way. Chairman Burns stated that he is in favor of starting the process to vacate because allowing that section of road to remain after the US Route 11/997 project is completed will defeat the purpose of improving the intersection. The Solicitor explained that he suggested to BIAPAS that they consider barricading the Rte. 11

entrance to prevent people from continuing to use it and the Chairman asked if this is something that could be incorporated into the agreement. The Solicitor stated that it can be written in the agreement in some way, but eventually BIAPAS wants to use that as an entrance. He explained that the first thing to do would be to prepare an agreement and have the current property owner sign it. Once the agreement is in place the Board would draft and an Ordinance to Vacate, accept the petition and direct the Solicitor to proceed in preparing the necessary paperwork which will involve an ordinance and public hearing. Resident Glenn Shetter asked if the property owner on Cumberland Highway is agreeable to this project because he objected to it several years ago. Chairman Burns explained that owners of the Italian Village own that entire property now. On a motion by Shawn M. Corwell, seconded by Travis L. Brookens, and by a vote of 3-0, the Board unanimously voted to accept the petition request for BIAPAS Corporation for the vacation of Pine Stump Road Extended between Philadelphia Avenue (US11) and Cumberland Highway (SR0997) and authorize the Solicitor to prepare an agreement to do so.

The Zoning Officer presented a revised 1-lot Final Subdivision Plan for the Gerald Gayman property located off of Sampache Drive. The Plan was initially presented to the Board on July 27, 2014 and was tabled. The ZO stated that the plan has received all appropriate approvals from the Municipal Authority, DEP, the Conservation District, and the Guilford Water Authority. Copies of the Engineer and Planner's comments are included in the packets for review. The development will result in one (1) peak hour trip for an impact fee totaling \$1,778.00. He noted that there is a time extension for the plan if needed. The Township Engineer stated that the plan satisfactorily conforms to all the Township zoning and development ordinances and recommends approval of the plan. Supervisor Brookens asked if the bulb (or shape of the cul-de-sac) meets the Township standard because what's currently there is difficult for the snow plow operator to maintain and the Engineer stated that it does. 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 1-lot Final Subdivision plan for Gerald Gayman with the conditions that the Traffic Impact Fee of \$1,778.00 be paid at the time of application for the Land Use Permit, and also that the clarification of the note located on the plan regarding Collins Drive be clarified or eliminated if it is no longer necessary.

The Zoning Officer presented a 1-lot Final Land Development Plan for Fuzzy Acres located off of Black Gap Road for the addition of a mobile home on the property to serve as a recreational use structure. The property is located in the R-1 Zoning district and is approximately 100 acres in size. The plan specifies that the mobile home shall not be connected to a pressurized water supply system and if they do so at some point in the future they will need to address the sewage either by an on-lot system or connection to public sewer. The property is located more than 500 ft. in any direction from existing public sewer and the house that's currently on the property is served by a sand mound. Copies of the Engineer and Planner's comments are included in the packets for review. The ZO explained that the mobile home was placed on the property in December 2013 and the property owner was issued a violation letter, but they have since moved towards obtaining the proper approvals. The ZO recommended that verbiage be put in the motion to specify that the mobile home cannot be connected to pressurized water. He explained that after talking with the Traffic Engineer the traffic impact fee would be zero since this is a seasonal use structure and not a residential dwelling. Supervisor Brookens asked what defines this as a seasonal use structure and the ZO explained that it's a designation thru the building code office. There is a Recreational Cabin Affidavit that can be filed thru the Commonwealth Code office which exempts the structure

from certain requirements of the building code. The Solicitor explained that the Township does not have an ordinance that uses the term seasonal but the PA Uniform Construction Code does make reference to different types of structures and the way they are used in terms of what compliance they need to make in their construction. The Township Engineer stated that he would recommend approval of the plan. 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 1-lot Final Subdivision Plan for Fuzzy Acres located on Black Gap road with the conditions that the recreational cabin is not connected to any type of pressurized water system and if it is at some point in the future the sewage issues will need to be addressed at that time.

The Township Solicitor informed the Board that he received a letter addressed to him as Solicitor for the Township identifying the Township as a potential beneficiary under an antitrust litigation settlement agreement between the Federal Government and the Morgan Stanley Bank, Wichovia Bank, National Association (now Wells Fargo), JP Morgan Chase Company, Bank of America, etc. He verified with Phil Ritchie and Scott Orndorff of Smith Elliott Kearns that the Township pension plan has never been involved in holding, buying, selling or participating in municipal derivative settlements, which means that the Township is not a qualified claimant and he is disregarding the letter.

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 payment of invoices as follows: Check Numbers 21941 through 21969 to be paid from the General Fund; Check Number 3136 through 3138, and one on-line pay to be paid from the Liquid Fuels Fund; and one on-line 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 8:25 P.M.

Respectfully submitted,

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Assistant Secretary