

April 28, 2009
Scotland, PA 17254

The Greene Township Board of Supervisors met in regular session Tuesday, April 28, 2009, at the Township Municipal Building, 1145 Garver Lane, Scotland, PA, following two (2) Public Hearings.

Present:

Charles D. Jamison, Jr.
Todd E. Burns
Glenn O. Shetter
Welton Fischer

Travis Brookens
Daniel Bachman
Diann Weller
Gregory Lambert

Visitors: See list

The Chairman called the Regular Meeting to order at approximately 7:30 P. M..

The Minutes of the April 14, 2009 Regular Meeting stand approved as presented.

The Chairman noted this was the date, time and place to open and consider Sealed Bids received as follows: Diesel (Ultra Low Sulphur), 89 Octane Gasoline, #2 Fuel Oil, Bituminous Materials, and Crushed Aggregate. The Chairman noted that correspondence had been received from Hess Corporation indicating 'no bid letter enclosed' and stated their minimum volume requirement is 100,000 gallons and minimum deliveries per drop is 7,000 gallons as well as other specific items not offered. The bids for 89 Octane Gasoline and Ultra Low Sulphur Diesel were opened and bid prices read as follows:

Bidder's Name	Bid Price 89 OCTANE GASOLINE (2,500 Gallons)	Bid Price - DIESEL (Ultra Low Sulphur) (35,000 Gallons)
McCleary Oil Co.	1.765 (Unit Price Delivered as Directed)	1.735 (Unit Price Delivered As Directed)
Tanner Home and Energy	1.6315 (Unit Price Delivered At Job Site)	1.5705 (Unit Price Delivered At Job Site)
Bedford Valley Petroleum	NO BID	1.838 (Unit Price Delivered As Directed)

Bidder's Name	Bid Price (#2 FUEL OIL)
McCleary Oil Company	1.639 (Unit Price Delivered As Directed)
Tanner Home and Energy	1.5125 (Unit Price Delivered At Job Site)
Bedford Valley Petroleum	1.7450 (Unit Price Delivered As Directed)

The Board discussed at length past problems the Township had encountered with both Tanner Home and Energy and Bedford Valley Petroleum. Upon reviewing each Bid as opened and read, the Solicitor asked the Board who owned McCleary Oil Company and the Board stated 'Huber McCleary' and the Solicitor noted the signature may have been in the wrong place and it would need to be clarified if they were awarded the Bids for both Diesel and Gasoline as well as Fuel Oil. The Chairman stated that both companies previously mentioned had been fired in the past for failure to following through with the contract as well as both the Township and the (Fayetteville) Fire Company being allowed to run out of product. The Solicitor stated there is no rule as to how long a bidder may not be considered for awarding of any bid. Again, the Board discussed problems experienced in the past with both companies. They further spoke highly of McCleary Oil Company and the outstanding service provided and given to the Township time and time again. Following discussion and review of all quotes submitted, on a motion by Glenn O. Shetter, seconded by Todd E. Burns, and by a vote of 3-0, the Board unanimously voted that McCleary Oil Company be awarded the Contract for 89 Octane Gasoline, Diesel (Ultra Low Sulphur), and #2 Fuel Oil at their quoted prices.

The next bids opened were for Bituminous Materials and were read as follows:

Bidder's Name	Bid Price FOB Plant	
Fayetteville Contractors	Cold Mix	NO BID
	9.5 MM Superpave	48.53
	12.5 MM Superpave	52.69
	25 MM Superpave	42.18
	(No blacktop index indicated)	
Valley Quarries, Inc.	Cold Mix	87.00
	9.5 MM Superpave	41.70
	12.5 MM Superpave	41.70
	25 MM Superpave	35.05
	(Blacktop Index @ \$365 per liquid ton)	
Wilson Paving	Cold Mix	NO BID
	9.5 MM Superpave	51.50
	12.5 MM Superpave	51.50
	25 MM Superpave	43.50
	(No blacktop index indicated)	

Following review and discussion of all quoted bid prices submitted, on a motion by Todd E. Burns, seconded by Glenn O. Shetter, and by a vote of 3-0, the Board unanimously voted that Valley Quarries, Inc. be awarded the Bituminous Materials contract at their quoted bid prices with the stipulation the awarding of this contract will be based upon materials being available at both the Chambersburg Plant **and** the Shippensburg Plant.

The final bids to be opened for consideration were for Crushed Aggregate and were read as follows:

Bid Item	FOB PLANT	DELIVER JOB SITE	FOB PLANT	DELIVER JOB SITE
	St. Thomas Development, Inc.		Valley Quarries, Inc.	
No. 8 1,000 Ton	6.25	9.75	6.50	9.05
No. 2-A 10,000 Ton	4.90	8.40	4.55	7.10
2A Aggregate 500 Ton	4.90	8.40	4.55	7.10
Penn #1 300 Ton	6.25	9.75	6.00	8.55
1/4" Clean 300 Ton	NO BID		12.45	15.00
Anti-Skid 3,000 Ton	NO BID		6.60	9.15
#57 1,000 Ton	6.25	9.75	6.00	8.55

Following discussion of the slight differences in prices, on a motion by Glenn O. Shetter, seconded by Todd E. Burns, and by a vote of 3-0, the Board unanimously voted the Contract for Crushed Aggregate for 2009 be awarded to Valley Quarries, Inc. at their quoted bid prices with the stipulation the materials must be available not only at the Chambersburg Plant **but** also at the Shippensburg Plant.

During public comment time, Mr. Kevin McCardle of Park's Garbage Service, Inc., Mt. Union, PA, addressed the Board noting the company was traveling through neighborhoods and targeting dense areas at this time. Mr. McCardle distributed business cards and company brochures and briefly reviewed the current product pricing stating the eventual goal will be the entire Township notified of their services. Mr. McCardle noted the various Counties within the State that Park's already services and stated they do not have roll-off containers at this time; company does have transfer station and eventually anticipate having a satellite company locally. Mr. McCardle thanked the Board for allowing him the time to introduce himself and Park's Garbage Service, Inc.

The Board considered the presentation regarding Keystone Opportunity Zone (KOZ) tabled from the April 14, 2009 Regular Meeting. On a motion by Glenn O. Shetter, seconded by Todd E. Burns, and by a vote of 3-0, the Board unanimously voted that Township **Resolution No. 10-2009** be passed as presented.

The Zoning Officer informed the Board the Township is in the process of the 7-year review of the Agriculture Security Area; all information has been mailed to the affected property owners; most everyone has signed off with only a few remaining to respond. He stated there must be a 30-day reviewing time period and then a public hearing must be set to consider the matter. The Chairman noted that Member Nelson Wengert has been lack in attending past meetings; Member Herman Wirth is deceased. He also stated the Committee meets on an "as need basis". The ZO stated this is only an update at this time and was putting the Supervisors on notice of this fact. The Solicitor recommended holding off until the Board has had an opportunity to contact the existing Members and consider recommendations for replacement(s). The Committee membership consisted of four (4) citizens with the Board of Supervisors Chairman serving as the "tie breaker", if needed.

On a motion by Todd E. Burns, seconded by Glenn O. Shetter, and by a vote of 3-0, the Board unanimously voted to close the *Flag Court* Account.

The Solicitor stated there were amendments that needed to be added and/or updated in the Township Personnel Manual and those amendments were now prepared and ready for consideration by the Board. On a motion by Glenn O. Shetter, seconded by Todd E. Burns, and by a vote of 3-0, the Board unanimously voted the amendments to the Township Personnel Manual plus job descriptions be approved as presented and become official after April 29, 2009.

The Zoning Officer presented a request for plan withdrawal of the Highlands of Greenvillage Recreation Land Development Plan. The ZO stated the developer wishes to withdraw the plan at this time rather than going through the procedure requesting variance(s), etc. Supervisor Burns asked if any review fees had been invoiced to date and the ZO stated there has been no invoicing to date. The ZO stated the developer wished to bond only Phase I and the Board discussed briefly options available. Following review and discussion of this matter, on a motion by Todd E. Burns, seconded by Glenn O. Shetter, and by a vote of 3-0, the Board unanimously voted the request for plan withdrawal of the Highlands of Greenvillage Recreation Land Development Plan be approved with condition: the plan be released and no other plans will be accepted by the Township until such time all review fees pertaining to this plan are liquidated.

The Zoning Officer presented a request for review time extension of ninety (90) days from Curfman & Zullinger Surveying, Inc. on behalf of the Roger Wingert Land Development Plan; current time expires May 2, 2009. On a motion by Glenn O. Shetter, seconded by Todd E. Burns, and by a vote of 3-0, the Board unanimously voted the Roger Wingert Land Development Plan request for review time extension be granted an additional ninety (90) days commencing May 2, 2009.

The Zoning Officer presented a request for refund of Land Use Permit Application fee of \$347.00 from Mr. Kirk Paul. The ZO stated that Mr. Paul had submitted the Application for a single family modular home and garage but has requested withdrawal of original permit and submitted a new Application for the home only at this time. On a motion by Todd E. Burns, seconded by Glenn O. Shetter, and by a vote of 3-0, the Board unanimously voted the

request for refund of Land Use Permit Application fee of \$347.00 be granted to Mr. Kirk Paul.

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April 28, 2009
Public Hearing

The Assistant Zoning Officer presented a request for bond release for Step by Step Dance Studio; Township currently holds a Letter of Credit from F & M Trust in the amount of \$20,893.68. Mr. Greg Lambert, Township Engineer, briefly reviewed his Memo (copies distributed to Board Members) and recommended releasing the bond with a letter attached reminding the developer of the responsibility regarding requirement of maintaining a stabilized site (in order to prevent erosion and sediment runoff downstream and into the Township right-of-way). On a motion by Glenn O. Shetter, seconded by Todd E. Burns, and by a vote of 3-0, the Board unanimously voted the bond release request by Step by Step Dance Studio be approved with condition: the bond be released in the amount of \$20,893.68 and also a letter be forwarded to the developer reminding them of stormwater management.

On a motion by Todd E. Burns, seconded by Glenn O. Shetter, and by a vote of 3-0, the Board unanimously voted to authorize the payment of invoices as follows: Check Numbers 14108 through 14143, inclusive, to be paid from the General Fund; and, Check Numbers 1656 and 1657 to be paid from the Liquid Fuels Fund.

There being no further business before the Board for this Regular Meeting, the Chairman adjourned at approximately 8:25 P.M..

Respectfully submitted,

Secretary