

September 22, 2009
Scotland, PA 17254
Regular Meeting

The Greene Township Board of Supervisors met in regular session Tuesday, September 22, 2009, at the Township Municipal Building, 1145 Garver Lane, Scotland, PA.

Present:

Charles D. Jamison, Jr.
Glenn O. Shetter
Welton Fischer

Travis Brookens
Daniel Bachman
Gregory Lambert
Diann Weller

Visitors: See list

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

The Minutes of the September 8, 2009 Regular Meeting stand approved as presented.

Dr. Michael Gaudiose, Township resident on Frecon Road, addressed the Board regarding "active living" and more particularly regarding cycling. He had distributed a copy of information regarding biking in America to each Board Member for their review and information. He noted the years he has been a Township resident and appreciates all the services the Township provides and assistance given to him by staff on a number of occasions. He noted the many benefits with regard to cycling (aerobic exercise, provides inexpensive transportation, etc) and stated it has declined since the 1960's. In his presentation, he cited examples of European health and those of that descent now working at the local hospital and the difference in their weight, etc, and noted the ratio of men to women who cycle (3 to 1). He noted that active living can be enhanced by infrastructure (i.e. widening road shoulders, use of less traveled roads, bike routes and bike trails). He expressed his desire to see more biking to Chambersburg from the surrounding area (i.e. to parks, to watch sports events, etc). He stated this could be accomplished by investigating and securing grants and funding. He further expressed his desire to speak in more detail in the future and would be happy to serve as a resource. He thanked the Board for allowing the time and opportunity for him to make some comments and noted that others would have been present, however, the "Summer Bike Club" had a previous event for this evening and were unable to attend this meeting. The Chairman stated the Township will review and take under advisement the information Dr. Gaudiose presented and distributed. He further noted the widening of roadways involved the issue of dollars, however, if there might be grants and funding available, it could help the matter. Supervisor Shetter stated the Township now has a full-time Planner on staff so he would be able to investigate the avenue of grants, funding, etc.

The Chairman recognized two (2) other visitors to this meeting; two (2) students of Vo-Tech who were required to attend a meeting for their school Civics class. The Chairman welcomed them and stated if they had any questions during the meeting, they should feel free to ask.

The Chairman turned over the next item on this Agenda to the Township Solicitor for presentation and explanation. The Solicitor stated the Township intends to enter into a Cable Franchise Agreement with Comcast but during discussions, there were two (2) issues to be resolved: 1) what revenue from the fee would be calculated and the Township tried for all but the cable company stated any revenue would be only from video presentation. The cable company cited a FCC ruling and court cases and the Solicitor stated they were correct in what they offered the Township. The Township also requested high speed internet connection but when the language was reviewed it was "residential" use and not commercial and the cable company was not able to provide to the Township. The Solicitor stated the Township could accept the "residential" connection at this time for future thought and then the agreement could be signed. The Township would get the residential connection for free but the commercial rate difference would be \$42 per month (for high speed internet). It was noted that \$42 is the difference between the residential and commercial rates. The Township Engineer and Zoning Officer noted the numerous changes that would be involved if the Township's current internet were to be changed over to Comcast (i.e. all current Township e-mail addresses would have to be changed, etc). The connection could be made now and the agreement would in effect for ten (10) years and if the Township wished at some time to change provider the connection would be already installed. The Chairman stated it would be a revenue source for the Township and the agreement would allow the cable company to place their cable in our rights-of-ways and in new developments it would give them the option to hook into underground conduit. Supervisor Shetter stated that in his research and review he noted the Township has no property tax and when comparing to the possibility of hundreds of tax dollars per year per household, he noted a cable bill may only increase by \$36 per year and would much rather pay that small amount as opposed to a tax being imposed. It is expected to generate approximately \$12,000 to \$14,000 per month to the Township and the fee revenue would be submitted to the Township on the quarter. Following discussion and review, on a motion by Glenn O. Shetter, seconded by Charles D. Jamison, Jr., and by a vote of 2-0, the Board unanimously voted to pursue a cable franchise agreement with Comcast to go after 5% fees plus internet connection and the agreement would be valid for ten (10) years.

The Chairman noted the Township's independent auditing firm, Smith Elliott Kearns & Company (SEKCO) LLC, would perform annual compliance services for the Township retirement plan whereby they check all records and administration of the plan to ensure the Township is in compliance. On a motion by Glenn O. Shetter, seconded by Charles D. Jamison, Jr., and by a vote of 2-0, the Board unanimously voted to authorize Smith Elliott Kearns & Company, LLC to perform the annual compliance services for the Township retirement plan.

The Chairman noted that Smith Elliott Kearns & Company, LLC would perform the same type of services as noted in the previous Agenda item with regard to the Section 457 Plan to ensure that funds go into the correct accounts and the Township is in compliance. On a motion by Glenn O. Shetter, seconded by Charles D. Jamison, Jr., and by a vote of 2-0, the Board unanimously voted to authorize Smith Elliott Kearns & Company, LLC to perform the annual compliance services for the Section 457 Plan.

The Zoning Officer presented a request for review time extension of ninety (90) days from William A. Brindle Associates, Inc. on behalf of the Chambersburg Baptist Church Land Development Plan; current deadline expires September 26, 2009. On a motion by Glenn O. Shetter, seconded by Charles D. Jamison, Jr., and by a vote of 2-0, the Board unanimously voted the request for review time extension for the Chambersburg Baptist Church Land Development Plan be granted an additional ninety (90) days commencing from September 26, 2009 forward.

The Zoning Officer presented a request for review time extension of ninety (90) days from Martin and Martin, Inc. on behalf of the Capital Estates Phase I Land Development Plan; current deadline expires September 23, 2009. On a motion by Glenn O. Shetter, seconded by Charles D. Jamison, Jr., and by a vote of 2-0, the Board unanimously voted the request for review time extension for the Capital Estates Phase I Land Development Plan for an additional ninety (90) days commencing September 23, 2009 forward, be granted.

The Zoning Officer presented a request for review time extension of ninety (90) days from TME Surveying, LLC on behalf of the Bennett Farner Subdivision Plan; current deadline expires October 6, 2009. On a motion by Glenn O. Shetter, seconded by Charles D. Jamison, Jr., and by a vote of 2-0, the Board unanimously voted the request for review time extension for the Bennett Farner Subdivision Plan for an additional ninety (90) days commencing October 6, 2009 be granted.

The Zoning Officer presented a request for review time extension until December 22, 2009 from Hanover Land Services, Inc. on behalf of the White Church Meadows Subdivision Plan; current deadline expires September 22, 2009 which the ZO noted it is approximately 90 days (89 actually). On a motion by Glenn O. Shetter, seconded by Charles D. Jamison, Jr., and by a vote of 2-0, the Board unanimously voted the request for review time extension for White Church Meadows Subdivision Plan be granted an additional ninety (90) days commencing September 22, 2009 forward.

The Zoning Officer read correspondence from LSC Design on behalf of the Rutter's Farm Store Land Development Plan for a request of waiver of municipal time review requirements within ninety (90) days on behalf of the Rutter's Farm Store Land Development Plan; current deadline expires September 26, 2009. On a motion by Glenn O. Shetter, seconded by Charles D. Jamison, Jr., and by a vote of 2-0, the Board unanimously voted the request for review time extension for Rutter's Farm Store Land Development Plan be granted an additional ninety (90) days commencing September 26, 2009 forward.

The Assistant Zoning Officer presented a 1-lot Final Land Development Plan for Roger Wingert; property located along Route 11 North (Philadelphia Avenue); proposed relocation of septic hauling business; proposed construction of new warehousing unit (garage/office). The AZO noted the current moratorium for sewer hookup and stated that Mr. Wingert intends to apply for a holding tank permit from PA DEP until (public) sewer is available. Comments from the *Approval Checklist*, a copy being provided to each Supervisor,

were as follows: Franklin County Planning Commission – reviewed with no comment (11-12-08); Greene Township Municipal Authority – no comment to date; an application to PA DEP for temporary holding tank submitted 9-8-09; Guilford Water Authority – can serve (11-19-08); Franklin County Conservation District – adequate (4-6-09); both Township Planner and Engineer had reviewed the Plan and stormwater proposal and were in agreement with a stormwater bond in the amount of \$15,000 (9-22-09); Township Planning Commission reviewed the plan at their September 14, 2009 meeting and recommended approval subject to the following conditions: a holding tank permit is received from PA DEP; an Impact Fee in the amount of \$1,778 (TSA-3/1 trip) be received by the Township, and the stormwater controls be constructed and approved by the Township Engineer prior to release of the plan for recording. The AZO again noted that Mr. Wingert wishes to construct the stormwater controls prior to the plan being released. The Engineer stated he recommended that Mr. Wingert would have ninety (90) days to install the stormwater controls or must submit a bond in the amount of \$15,000 to the Township. The Chairman asked if PennDOT had been notified as to any issue with the property entrance off a State route and the Engineer stated he was not aware if PennDOT had been contacted. The Chairman stated the Township needs a letter from PennDOT that they have no issue with the entrance. He stated there is time to get this issue resolved and need something in writing from PennDOT to that effect. On a motion by Glenn O. Shetter, seconded by Charles D. Jamison, Jr., and by a vote of 2-0, the Board unanimously voted the 1-lot Final Land Development Plan for Roger Wingert be approved subject to conditions: (1) PennDOT HOP (Highway Occupancy Permit) be clarified and that Mr. Sheldon Pefley at the local PennDOT office be notified if in fact Mr. Wingert does not need a permit; (2) DEP Holding tank Permit issued and a letter to that effect with a note on the plan; (3) the stormwater plan be held until such time the stormwater controls are in place and inspected by the Township Engineer and if not, then a \$15,000 bond will need to be posted; (4) prior to issuing a Land Use Permit (LUP), the Impact Fee of \$1,778 must be paid and then the LUP can be issued.

The Assistant Zoning Officer presented a 1-lot Final Subdivision Plan for Ralph & Joyce Bachman; property located off Black Gap Road and consists of a four-acre tract with existing house and garage; propose to subdivide portion of property with remainder to be used for new building lot. Comments from the *Approval Checklist*, a copy being provided to each Supervisor, were as follows: Franklin County Planning Commission – reviewed with no comment (8-26-09); Greene Township Municipal Authority – approved (9-11-09); planning exemption approved by PA DEP (1-14-09); Guilford Water Authority – approved (9-22-09); PennDOT - driveway permit required/application submitted (9-21-09); Franklin County Conservation District – adequate (9-22-09); both the Township Engineer and Planner had reviewed the plan and recommended approval provided the driveway permit from PennDOT was received (9-3-09); the plan was staff reviewed on behalf of the Township Planning Commission and recommended approval subject to the HOP (Highway Occupancy Permit) received, the Impact Fee of \$1,086 paid at time of Land Use Permit application, and the sewer moratorium is lifted; no recreation impact fee would be required due to a single lot one time exemption taken as noted on the subdivision plan. The Supervisors asked the Township Solicitor if the plan can be released due to the sewer moratorium and he stated it could but be

sure to make the property owner aware of the sewer moratorium. On a motion by Glenn O.

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Shetter, seconded by Charles D. Jamison, Jr., and by a vote of 2-0, the Board unanimously voted the 1-lot Final Subdivision Plan for Ralph & Joyce Bachman be approved with conditions: the plan not be released until such time the Highway Occupancy Permit approval is received from PennDOT; the Land Use Permit not be issued until the sewer moratorium has been lifted and upon application of the Land Use Permit, the Impact Fee of \$1,086 be paid.

The Chairman brought an item to the floor for discussion not appearing on this Meeting's Agenda regarding the Earned Income Tax law that was recently implemented. He stated there will most likely be one office for collecting and as the Township's representative to the Wage Tax Board, he would need direction from the Board whether the Township is in agreement to remain 'status quo' or look at other alternatives. He noted the Township has been with the Wage Tax Board since 1975 and almost every school district and municipalities belong to the Chambersburg Area Wage Tax Board (CAWT); at present, only two school districts and five municipalities are not part of the Board and the CAWT is hoping to have all belong. On a motion by Glenn O. Shetter, seconded by Charles D. Jamison, Jr., and by a vote of 2-0, the Board unanimously voted the representative of Greene Township be advised to inform the Wage Tax Board the Township stays with the existing operation in place, being the Chambersburg Area Wage Tax office, and hopefully can convince others to belong.

On a motion by Glenn O. Shetter, seconded by Charles D. Jamison, Jr., and by a vote of 2-0, the Board unanimously authorized the payment of invoices as follows: Check Number 14610 through 14634, inclusive, to be paid from the General Fund; Check Number 1406 to be paid from the Electric Light Fund; and, Check Number 1712 to be paid from the Liquid Fuels Fund.

There being no further business before the Board for this Meeting, the Chairman adjourned at approximately 7:50 P.M..

The Chairman introduced those persons seated on the platform (two Board of Supervisors, Township staff, and Township Solicitor) to the two Civics class students in attendance at this meeting.

Respectfully submitted,

Secretary