

May 12, 2020
Scotland, PA 17254
Regular Meeting

The Greene Township Board of Supervisors held their Regular Meeting on Tuesday, May 12, 2020 at the Greene Township Municipal Building, 1145 Garver Lane, Chambersburg, PA. (Note: Due to COVID-19, all persons maintained an additional distance during this meeting.)

Present:

Todd E. Burns	Gregory Lambert
Travis L. Brookens	Lindsay Loney
Shawn M. Corwell	Kurt Williams (via teleconference)

Visitors: None

The Chairman called the Meeting to order at 7:00 PM.

The Chairman opened the meeting by saying that only one bid was received for the CIPR (Cold-in-Place Recycling) project, and he opened the bid. The bid was from Recon Construction Services and was properly sealed and signed. The bid consists of CIPR and bituminous base course on three separate roads and each road is broken down into two sections. The Chairman proceeded to read the bid aloud. The first project quoted was Airport Road, Section A, which runs from Siloam Road to Shatzer Road and is a total of 3,000 linear feet. The overall price was \$84,925 and the square yard unit price was \$6.25. The Township Engineer had estimated this section to cost \$90,000. Airport Rd, Section B, which runs from Shatzer Road to Salem Road and is a total of 5,000 linear feet, was quoted at an overall price of \$130,500 and square yard unit price of \$5.50. The Township Engineer estimated this section to cost \$144,000. The Chairman pointed out that the square yard price is higher for section A to which the Township Engineer replied that section B is a longer section so they are charging less. The next project quoted is Greenvillage Road, Section A, which runs from the southend to 997 and is 3,000 linear feet. The overall price for this section is \$89,000 and the square yard unit price is \$7.30. The Township Engineer had estimated this section to cost \$89,300. Greenvillage Road, Section B runs from 997 to the point towards Shippensburg and is 3,500 linear feet. The overall price quoted for this project is \$97,900 and the square yard unit price is \$6.50. The Township Engineer estimated this section to cost \$107,400. Supervisor Brookens questioned if it would make sense to do only one part of Greenvillage Road. The Chairman responded that it would to an extent because one section is a lot worse than the other. But it would make more sense to do all of one road and eliminate another road instead of breaking up the projects. The Chairman asked if Recon would adjust prices if the Township did all of one road. The Engineer stated the bid was set up as individual projects so that the Supervisors could pick and choose, so he would have to check with Recon. Supervisor Brookens asked if there are any infrastructure issues pending on any of these roads. The Engineer answered that the White Church Road project was shortened because of the pending bridge work. Supervisor Brookens stated that he was referring more to water, sewer and gas. The Engineer said he does not think there are any projects, but the Township should do it's due diligence and inquire about that. The next project quoted was White Church Road, Section A and extends from 997 to Orchard Road and is 9,900 linear feet. The overall price is \$252,890 and the square yard unit price is \$5.95. The Township Engineer estimated this section to cost \$275,000. White Church Road, Section B runs from Orchard Road to Stillhouse Hollow Road and is 4,300 linear feet. The overall price quoted is \$145,000 and the square yard unit price is \$4.85. The Township

Engineer estimated a total cost of \$126,000. The overall bid price for all projects is \$755,350. The Engineer pointed out that this price does not include the overlay cost. Those costs would be approximately 60% - 75% of the CIPR costs. The Chairman stated that he is surprised by the fluctuation of the bituminous base course pricing. The Engineer responded that we received some good prices, and that is a reflection of the cost of oil. The Chairman pointed out that the cost of oil is a lot less than other years, but the costs per square yard seem to be up. The Township has never received a price of \$7.30/square yard. The Engineer said he would talk to Recon about the price of Greenvillage Road, but he believes it is because that road is more difficult for them to do. There are a few wide radius turns where the Township road intersects with Route 11. It takes a couple of days just to do those sections on either end. The Chairman confirmed it looks like the bid is complete and has been signed and sealed. It appears that the amounts are fair and not out of line with other years. At this point, it's just a matter of sitting down and discussing what projects should be done this year based on the budget. The Engineer noted that school is to be back in on August 31st, so ideally the projects should be completed by then. The Chairman suggested the bid approval be tabled, pending further discussion of the projects. The Solicitor questioned how long the bid was good for. Following some discussion, it was found in the bid document that the bid is good for 60 days. Supervisor Brookens asked what unknowns we are waiting on to make a decision. The Engineer noted that we are also waiting on bids for paving equipment pricing, so maybe it would be best to have all of those numbers and make a decision at the first meeting in June. The Chairman confirmed that should be plenty of time to look at the budget and calculate costs, as well as check with the utility companies about any future projects on these roads. 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 table the Cold-in-Place Recycling bids from Recon Construction to June 9, 2020 at the regularly scheduled Supervisors meeting at 7:00 PM.

Supervisor Corwell presented proposed Township ***Resolution No. 11-2020, Designation of Agent***. Supervisor Corwell stated that last week an email was received from Pennsylvania Emergency Management Association (PEMA) that they are beginning the reimbursement process for expenses related to COVID-19. This will be a long process, and the start of the process is to designate an agent from the Township to sign paperwork and attend meetings regarding reimbursement. Supervisor Corwell pointed out there is still no guarantee the Township will be reimbursed, but we have been documenting everything. 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 adopt Township ***Resolution No. 11-2020, Designation of Agent***.

The Minutes of the Regular Meeting held April 29, 2020 shall stand approved as presented and become part of the official record.

There being no public present at this Meeting, no public comment was offered.

Supervisor Brookens presented a request for refund of the Chambersburg Area School District (CASD) baseball field lease payment. The CASD varsity and junior varsity baseball teams lease the Township baseball field for their season each year, and this year due to COVID-19, they were only able to use the field for approximately two weeks before their season was suspended. The district requested a refund, and the Township park department decided it would be appropriate to refund the entire amount as well as freeze the rate increase for next year. According to the lease agreement, the lease payment increases by 3% annually, but the park department is proposing this be frozen for one year and the 2020 rate will be the 2021 rate. That amount is \$20,537.70. The Solicitor questioned if a written amendment has been contemplated, and Supervisor Brookens stated not that he was aware of. Supervisor Brookens shared that the original ten year lease was signed in 2008 and it was renewed two years ago,

continuing with the same terms for another ten years. Chairman Burns suggested we put a copy of the minutes from the meeting in with the contract. The Solicitor stated he feels we should have a document from the school district that they are agreeing to these terms. Chairman Burns pointed out that the Township is the one agreeing to it, because the school district made the initial request for refund. The Township is giving a full refund and freezing the rate, so the school district should not dispute that. The Solicitor agreed and said he would advise keeping a copy of the refund request and minutes in the file. Following consideration, on a motion by Shawn M. Corwell, seconded by Todd E. Burns, and by a vote of 3-0, the Board unanimously voted to approve a refund to the Chambersburg Area School District in the amount of \$20,537.70 for the 2020 lease of the Township baseball field and to freeze the rate for 2021 to reflect the 2020 rate.

The Chairman presented the consideration to pay Ms. Diann Weller her accrued sick leave. Ms. Weller retired, effective May 1, 2020. Per the Township personnel guide, the payout of any remaining accrued sick leave must be approved by the Supervisors. The Chairman inquired how many hours Ms. Weller had accrued to which the Treasurer replied that she was at the maximum payout. The Chairman inquired how many hours of vacation time Ms. Weller had accrued to be paid. The Treasurer replied that she did not have that number available at the meeting, but per the handbook, the vacation time does not need approved at a meeting; only the sick time. Following 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 pay the maximum amount of accrued sick leave to Ms. Diann Weller in accordance with the Township personnel guide.

The Chairman presented for consideration the restatement of the Township 457 Plan, as provided by SEK & Co. The Chairman pointed out that the 457 Plan is only contributed to by Township employees. The Greene Township Board of Supervisors do not contribute to this plan. The Plan was created in 2007, and SEK performed a review of the plan recently. Upon review of the plan, there were five changes proposed. Most of these items were not available at the time the Plan was originally written. The first of those items is the option for Roth salary deferrals. They were not permitted under 457 Plans in 2007, but regulations have changed and they are now permitted. The second item concerns a mandatory distribution of accounts under \$5,000 when an employee terminates. If the employee has a balance less than \$5,000 when he/she terminates, he/she would be required to take a distribution of those funds. Item three sets up the Supervisors as trustees, rather than individual names. The Chairman explained that in 2007 when the plan was written, the trustees of the Plan were the individual names of the Supervisors. Since that time, two of those individuals are no longer Supervisors. Naming the "Supervisors of Greene Township" as trustees rather than individuals eliminates the need to make amendments to change trustees when Supervisors change in the future. The fourth item sets up the option for employees to take out a loan on their individual 457 account. The Chairman reminded the Board that these accounts are funded by employees only and that no funds are put in by the Board of Supervisors. A loan policy is provided, including an application and fees involved, which will be the responsibility of the employee. The fifth item allows for rollover contributions to be distributed at any time. Supervisor Corwell inquired who would pay the fees incurred if an employee took out a loan on their 457 Plan. The Chairman stated those fees would be paid by the employee. Supervisor Brookens stated his understanding is that the funds would be borrowed from the employee's 457 Plan balance and paid back to that account with an interest rate of point plus prime. He pointed out that an employee would basically be paying themselves interest, because they are borrowing money from their own account. The Chairman asked the Solicitor if he had any comments, to which he replied no and this is the first he is hearing about these changes, but SEK is very good at these things. Supervisor Corwell questioned how the payback of the loan would work. The Chairman confirmed that it is stated in the loan policy that it would be an automatic payroll deduction. The loan would then be paid back to the investment facility, which at this time is John Hancock.

The Chairman noted that an employee cannot borrow more than 50% of the balance in their 457 account. If the employee defaults, the investment company would take the remaining amount from the employee's 457 account to pay the loan back. Following review, discussion 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 approve the reinstatement of the 457 Plan, as provided by SEK, with the provision that any fees related to the loan policy be paid for by the participant of the 457 Plan.

The Chairman noted that it is time to start bidding out the 2020 Crushed Aggregate. The Township Engineer stated he thought the Township decided to use COSTARS pricing this year. The Chairman replied COSTARS pricing will be reviewed, but bids will still be accepted. 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 advertise the receipt of sealed bids for *2020 Crushed Aggregate* to be received no later than June 9, 2020, at 3:00 P.M., EST, at the Greene Township Municipal Office Building, 1145 Garver Lane, Scotland, PA; then to be opened and read aloud on June 9, 2020, at the regularly scheduled Supervisors meeting at 7:00 PM.

The Chairman noted that due to the low fuel prices, now is a good time to start bidding out the 2020 Ultra Low Sulphur Diesel and #2 Fuel Oil. There was some discussion about opening bids at the next meeting, in two weeks, but the Solicitor indicated that would not be enough time, and it should be done the first meeting in June. 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 advertise the receipt of sealed bids for *2020 Ultra Low Sulphur Diesel and #2 Fuel Oil* to be received no later than June 9, 2020, at 3:00 P.M., EST, at the Greene Township Municipal Office Building, 1145 Garver Lane, Scotland, PA; then to be opened and read aloud on June 9, 2020, at the regularly scheduled Supervisors meeting at 7:00 PM.

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

The Solicitor commended the Zoning Officer for doing so well on his first Zoom call earlier in the day. The Solicitor noted that the Jaindl Public Hearing is scheduled for May 19. The Solicitor is hoping to have a verbal decision, but there is no guarantee. Supervisor Brookens brought up the local legislator's recent attempt to arbitrarily change Governor Wolf's legislation regarding Franklin County's COVID-19 "red" status. He questioned if the Township is in any position to have any say in that. The Solicitor replied that the Township is in no position to change the Governor's orders. Counties, as well as Second Class Townships are "creatures of the Commonwealth" and have no right to override the Governor's orders. The Solicitor pointed out that Greene Township is lucky in that it does not have its own police force and therefore does not need to worry about enforcing activity that occurs contrary to the Governor's orders. Supervisor Corwell noted that on the June 2 ballot, there is a referendum question regarding the sale of alcohol in Greene Township. Supervisor Corwell questioned what the Board's role will be if that is passed and if the Township will need to do anything. The Solicitor recommended reviewing the zoning ordinance and pointed out that you cannot specify whether a hotel or restaurant can serve alcohol. If an area is zoned to allow for a hotel or restaurant, the Township needs to be prepared to have alcohol in that area. There are several uses of land (ex: hotel, restaurant, golf course) that may bring along the alcohol component, and the Township should review the zoning map with these things in mind.

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 28574 through 28588 and two ACH payments, inclusive, to be paid from the General

Fund and Check Numbers 2204 through 2205, inclusive, to be paid from the Electric Light Fund.

There being no further business before the Board for this Meeting, the Chairman adjourned at approximately 7:54 PM.

Respectfully submitted,

Treasurer/Assistant Secretary