

TOWNSHIP OF SOUTHAMPTON MINUTES  
FOR THE REGULAR MEETING OF THE BOARD OF SUPERVISORS  
SOUTHAMPTON TOWNSHIP MUNICIPAL BUILDING

6:00PM

September 22th, 2015

**MEMBERS PRESENT**

Paul Witter – Chairman  
Greg Richardson – Vice Chairman  
Samuel Cressler – Secretary/Treasurer

**OTHERS PRESENT**

Carol Redding Esq. – Township Solicitor, via Skype  
Doug Shields – Code Enforcement  
Maria Misner – Planning/Recording Secretary

**VISITORS PRESENT**

Wendy Sailor – Chambersburg  
Kathy Eichelberger – EMS  
Peter Schilling – CCIS  
R. Clem Mellot – PA Municipal Code Alliance, Inc (PMCA)  
Ken Bard – CCIS  
Robin Vaughn – Resident  
Susan German – Resident  
Esther Bailey – Thornwood Road

**Chairman Witter called the meeting of September 22nd, 2015 to order at 6:00pm and announced the meeting was being recorded.**

**PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**

**VISITOR REMARKS**

Loud Noise at Fairgrounds - Mrs. Susan German said she did not have an issue with having concerts at the fairgrounds and thought it was a good thing, but she was bothered by the level of the base that vibrated the inside of her house during the recent outdoor concerts. She would like some consideration for the neighborhood.

Doug Shields, Code Enforcement Officer replied that music is a difficult thing to regulate because that is the nature of the entertainment. He did talk with the festival staff, and there should have been fewer vibrations as the concert went on.

Entertainment Fee - Mrs. German asked if the Township received any sort of entertainment fee?

Mr. Cressler replied that the Township did not have an amusement tax. The Township would have to hire inspectors for every event and was advised not to get into it because of the legal ramifications.

Mr. Richardson asked if the concerts were done by 10:00pm.

Mr. Shields stated that they were finishing up. The problem is that when a band gets behind, it is a chain reaction that sets everyone behind.

Mr. Robin Vaughn said the tractor pulls run until 1:00 or 2:00am in the morning.

Mr. Shields stated that he and the board need to sit down and come up with some ways of managing these activities.

Contact Information - Mrs. German said she contacted the Township building after hours and couldn't get any emergency number.

Supervisor Richardson stated that it would be good to put contact numbers on the website.

Thornwood/Orrstown Intersection – Esther Bailey, asked if the Township could get blinking lights on the stop signs. She asked the State Police if anything could be done, and they told her they could not, unless there was a fatality.

Supervisor Cressler agreed with the problem and stated that these processes move slowly, but the Township has already begun to take action with this intersection. The blinking lights need to be hard-wired, they can't just go out and put up lights on a battery back-up. If the batteries were to fail, not only could accidents happen, but the Township could be held liable.

She gave times when traffic is heavier and moves faster.

Supervisor Witter stated that they have put up non-regulatory "Stop Head" signs that were not required in an attempt to alert people. He met with several representatives of PennDOT, and sent letters to District 8 about two months ago requesting a speed reduction and blinking lights, but he is still waiting for proper approvals..

Supervisor Richardson disagreed with the approach of Supervisors Witter and Cressler. He sees nothing wrong with going out to put up a blinking light with a solar battery back-up. He disagreed with the engineer's recommendation to follow a procedure.

Supervisor Cressler suggested having the cost and permission for putting up blinking lights with solar battery back-ups for both directions for the next meeting.

Kathy Echelberger – SAEMS – They are sending letters to representatives to get assistance for increasing reimbursement rates. They are looking for letters of support from townships. More information will follow at the next meeting.

## **APPROVAL OF THE BOARD OF SUPERVISORS MINUTES FOR THE REGULAR MEETING OF AUGUST 25TH, 2015.**

The minutes for August 25<sup>th</sup> were approved as presented.

### **OLD BUSINESS**

Proctor & Gamble Lighting – Doug Shields spoke with Mike Alderman of Liberty who said the shielding has been installed and there has been improvements. There is not much more they can do. Mr. Shields added that P & G is in compliance as far as the Township is concerned and he is satisfied.

Supervisor Richardson suggested taking the item off of future agendas. Everyone has done their due diligence.

Healthcare for Elected Supervisors – Supervisor Richardson confirmed that given his current employment status with the Township, coupled with being mid-way through his term that he does not qualify for healthcare benefits. He withdrew his request.

The supervisors chose to let the issue die without forming a policy.

### Building Code Vendor -

Ken Bard –CCIS - said that he felt they have served the Township well over the last nine years and wish to continue service.

Clem Mellot – PMCA - asked the Township to make the switch that other municipalities have recently to go with his firm which will offer the same or better service.

Samuel Cressler stated that they just gave the 90-day notice as required, but no action would be necessary.

Chairman Witter stated that although he prefers to give residents a choice, he would like to wait to make a decision until he has had a chance to review the materials.

Samuel Cressler stated that he likes choice, but there are advantages to only going with one provider.

Supervisor Richardson also would like to offer options.

Supervisor Witter asked both vendors if there is a problem with going with both code enforcement services.

There was further discussion regarding the pros and cons of a single code enforcement vendor.

Mr. Ken Bard stated that the letter they received terminated services the following day.

Solicitor Redding clarified the letter stated that services would be terminated with Commonwealth Code Inspection Agency. She felt the notice met the requirements under the contract, a further motion and letter to continue services would be prudent.

MOTION: Suervsior Cressler moved to continue with Commonwealth Code as the Inspection Agency at least until the October 27<sup>th</sup> meeting. Supervisor Witter seconded the motion which passed unanimously.

#### Resolution 2015-009 Corporate Resolution for Genworth

Supervisor Cressler stated that Genworth accepted the un-approved minutes naming them as a depositor, but they still need a municipal resolution for their folder.

Solicitor Redding confirmed that it is the same as the Jackson resolution.

MOTION: Supervisor Cressler moved to approve Resolution 2015-009 to complete the paperwork for the investment. Supervisor Richardson seconded the motion which passed unanimously.

#### **NEW BUSINESS**

##### Fire Department M.O.U

Samuel Cressler stated that this is the same M.O.U. as the last few years between Shippensburg Borough, Shippensburg Township, Southampton Cumberland, Southampton Franklin and Shippensburg University who all pull together for the three Shippensburg Fire Departments.

MOTION: Supervisor Witter moved to sign the MOU. Supervisor Richardson seconded the motion which passed unanimously.

### Regional Electronic Recycling Event

Maria Misner stated that she has been having a dialog with a representative from Vintage Tech Recyclers who is willing to come to the Township to collect electronics at no charge; however they would like to collect approximately 19,000 pounds or more to make it worth their effort. In order to make that amount, surrounding municipalities need to participate.

Mrs. Misner said October 24<sup>th</sup> is a day that works for the Vintage Tech, Letterkenny Twp, Lurgan Twp, Shippensburg Twp, the Borough of Shippensburg and the university who also wants to participate. Ms. Misner was sent a contract from the company that indicates there is no charge to the municipality. They have requested a forklift driver for pallets and some people to help direct cars and help unload.

Supervisor Richardson asked what happens if 19,000 pounds is not collected. What will it cost?

Supervisor Cressler stated that it is a simple agreement, and there is nothing in it that indicates there will be penalties or charges. It will cost some manhours.

Supervisor Richardson asked if other Townships would send their staff?

Supervisor Witter stated that they can ask each municipality who participates to send a worker.

Supervisor Richardson asked how many employees from the Township?

Supervisor Cressler replied a loader operator and Ms. Misner as the coordinator.

MOTION: Supervisor Cressler made a motion for Southampton Township to participate and organize the electronic collection event on October 24<sup>th</sup> from 8:00am until 2:00pm and allow up to two employees to help with the event.

Supervisor Richardson asked for discussion. He suggested that it be conditional upon each municipality agreeing to send one employee to work that day and that there is no further cost incurred that blindsides the Township.

Supervisor Cressler agreed with no additional cost, but he disagreed with changing the motion on the floor to force the event to be stopped because someone from one of the other municipalities didn't show up.

Supervisor Richardson didn't want the burden of the heavy work to fall onto Southampton Township employees.

Supervisor Witter seconded the motion and added that those municipalities participating are requested to send at least one worker to help, and if they don't send someone, then that will be taken into consideration the next time around. The motion passed, Supervisor Richardson opposed the motion.

#### Renewing CD's

Supervisor Cressler stated that three CD's are maturing and asked the board if they should be renewed at the best rate they can find.

MOTION: Supervisor Cressler moved to add Citizens, Members 1<sup>st</sup>, M & T, Adam's County, Santander, BB&T as depositories in the event that they have a higher CD rate. Supervisor Richardson seconded the motion which passed unanimously.

#### **SUBDIVISIONS**

##### SD 2014-004 US X-Press

Solicitor Redding stated that US Xpress is in the process of creating a revised Land Development Plan which is a part of the agreement with the Township, which includes a landscaping plan. In addition, they are making application to get all the necessary permits and outside agency approvals. Once they are obtained, they will be presenting it to the Township.

The timeline for the relief plantings can be set after they get the plan approved. There is no construction going on right now.

The Solicitor has had a number of email conversations with US Xpress attorney Hubert Gilroy who advised her they are moving as quickly as they can to get the plan done and get new numbers for bonding and security agreement. She is hoping to present it at the following meeting.

All of the obligations of the Township have been met. The ball is in US Xpress' court.

SD 2014-009 Duane Zimmerman

Delvin Zullinger has prepared an as-built that was reviewed by Ryan Clark of Martin & Martin. The new recommended amount \$7016.26, for vegetative cover.

MOTION: Supervisor Cressler moved to reduce Mr. Duane Zimmerman's bond amount to the amount of \$7016.26 as recommended by Township Engineer Ryan Clark. Supervisor Richardson seconded the motion which passed unanimously.

SD 2014-018 US Xpress Driveway Plan Bonding

Maria Misner explained that the Cashier's Check is due to expire the following day and they have not yet received the as-built. Mr. Sturtevant, from DEBEI, has agreed to do it, but it will not be ready in time. She has discussed the situation with Mr. Nick Lemm of US Xpress and said they could cash the cashier's check and put it into an account. Once the as-built is reviewed and a new figure is recommended, they can release the additional funds at that time and reissue another cashier's check.

MOTION: Supervisor Cressler moved to cash the cashier's check that the Township is holding for the driveway bond and put the funds into an account. Supervisor Witter seconded the motion which passed unanimously.

Reports of Township Officials and Agencies

Zoning/Code Officer – Doug Shields had a follow-up from the previous Board meeting with Mr. Mark Richardson's complaint about the tractor & trailers at the Food Lion complex. Under the investigation he found they were both owned by tenants of the facility with the owner's permission. Mr. Shields informed the owner that the Township does not want a trucking terminal. One vehicle has been removed and another is being moved to the rear of the premises.

The US Xpress training facility is a permitted use under the Retail Commercial Zone. Once another business goes into that Food Lion complex they plan to move back to the US Xpress facility.

US Xpress Along Mainsville Road – Mr. Shields went out and spoke to the terminal manager regarding the trucks parked within the setback and they were moved back. They are now in compliance with the Township.

**ACTION ON PAYING BILLS**

MOTION: Supervisor Richardson moved to pay the general fund in the amount of \$149,429.63. Supervisor Witter seconded the motion which passed unanimously.

The meeting was adjourned by Supervisor Witter at 7:17pm.

Respectfully Submitted

Maria Misner  
Recording Secretary