

May 5th, 2022 Supervisors Minutes

Chairman Clapper called the May 5th, 2022 Supervisors meeting to order.

The following members were present: Don Clapper, Ted Bittinger, Mike Ferguson

The minutes from the April 7th meeting were approved as written.
The Treasurers report was distributed to each Supervisor for review.

Chairman Clapper opened with Privilege of the floor – No Comment

Chairman Clapper made the board aware that he has been in conversation with Penn Dot regarding the land that they own at the old rest area near Marion off of I-81 that we will need for the extension of Archer Dr. We will need to get a survey and plat done showing what we wish to acquire. We will then need to get it appraised. Chairman Clapper contacted Tim Witter regarding the survey and plat. He has given Guilford Township a quote of \$2950.00 for that work. Chairman Clapper also reached out to one of the Penn Dot approved appraisers (Century Engineering Inc., Andy Doherty) and he has given a quote of \$2500. On a Ferguson/Bittinger motion carried unanimously, the Supervisors gave the Administrative Officer permission to pursue the steps towards the purchase agreement with Penn Dot.

On a Bittinger/Ferguson motion carried unanimously, the Supervisors approved a request from The Borough of Chambersburg for Marion Fire Police Assistance with Non-Emergency events. (July 4th fire-works 6pm – 10:30pm w/ rain date of 7/9, July 9th Tim & Susan Cook Memorial Race 7:15am – 9:15am, July 16th Old Market Day and the Re-enactment of the Burning of Chambersburg 6pm – 10pm).

On a Ferguson/Bittinger motion carried unanimously, the Supervisors approved a request from Shalom Christian Academy for Marion Fire Police assistance once again this year for their Dutch Fest 5K road race. It will be held on May 7th from 10am – 11am.

On a Bittinger/Ferguson motion carried unanimously, the Supervisors approved a request from Protection4 paws for Marion Fire Police assistance for a Non-Emergency event. The request is for their motorcycle (Kruzin4k9s) ride on May 21st beginning at 9am.

On a Bittinger/Clapper motion carried unanimously, the Supervisors approved a request for a 90-day LDP review extension from Franklin County Fire Chiefs to get some of their comments addressed.

On a Clapper/Ferguson motion carried unanimously, the Supervisors approved a request for a 90-day LDP review extension from LOF to get some of their comments addressed.

Chairman Clapper mentioned that from our Planning Committee it was recommended that our Engineer review rain water that appears to be accumulating on Nadine Stotler's property at 1255 East McKinley Street. On a Bittinger/Ferguson motion carried unanimously, the Supervisors approved our Engineer to review the conditions and offer recommendations?

Chairman Clapper mentioned that from our Planning Committee it was recommended that our Engineer review the intersection around the Cascade/Farmstead/Fairway Drive West. There have been some concerns raised by residents regarding which street has the required stop. On a Ferguson/Bittinger motion carried unanimously, the Supervisors approved our Engineer to do an assessment of the intersection and offer recommendations.

Chairman Clapper discussed Niswander's 90-day probation, which is up and stated that the board had agreed to review his salary. Ted Bittinger his Supervisor is recommending an increase of \$2.50/hr. due to his performance. Mike had his spray license which has since lapsed however he is going to get those up to date so as to be able to do the spraying that Jimmy Barnhart currently does. On a Bittinger/Ferguson motion carried unanimously, the Supervisors approved this pay increase along with paying for his Spray Certification costs. This increase will become effective April 23, 2022.

On a Ferguson/Clapper motion carried unanimously the Supervisors approved the paying of the bills.

Under Old Business.

- The Chairman updated the Supervisors on the finding from our Liquid Fuels Audit. It was in reference to purchasing the Mini Excavator for an agreed price of \$21000.00 which was under the bid threshold however we bought another bucket (\$1000.00) the same day for the unit which Penn Dot, **(in their infinite wisdom)**, then added to the original purchase, putting us over the bid threshold. The bucket and Mini were on separate invoices and separate checks. The Chairman discussed the case in great length with Mike Weigel who stated that Penn Dot was unwilling to reconsider even though Mr. Clapper showed case law to support the Supervisors action. The Supervisors were able to save over \$4000.00 of tax payer dollars but Penn Dot seemed to care less about saving tax payer dollars. Mr. Clapper argued, "That could be a good reason that Penn Dot is in the financial state that they are". Mike Weigel said he spoke with his supervisor, Kristen Sims,

Regarding this as well and they are all unwilling to reconsider their unrealistic decision. They said they would be happy to entertain our solicitor to put together a plea representing the case law that I shared from their manual and present it to their legal team for review with no

guarantee of a change in the outcome. Mr. Clapper retorted. "I just spent all of my efforts saving tax payer dollars only for you to want me to spend more tax payer dollars engaging two legal teams, once again paid for with taxpayer dollars". Mr. Clapper suggested that the Supervisors reimburse their Liquid Fuels account \$22,000.00 from the General Fund.

Penn Dot is happy because they feel they have won. It is obvious this is not about doing what is right by the people it is about Penn Dot showing their power/dominance!

Under New Business.

- Sgt. Martin was here from the Chambersburg State Police Barracks to check in as well as notify us that LT. Jamie Brumbaugh will be coming back to Chambersburg to be the New station Commander. Mr. Clapper asked him to do a little patrolling on Mower Rd. and Greenfield Drive to try and cut down on some speeding.
- The Dept. of Agriculture was by and found Spotted Lantern Fly along Rt. 30 in Penn Dot's ROW by Norlo Park. They have asked for us to sign a consent form permitting them to spray along and possibly on our property.
If and when they do we will be notified prior to commencing their work.
On a Bittinger/Ferguson motion carried unanimously, the Supervisors authorized the Chairman to execute the consent form.

There being no further business, the meeting was adjourned at 7:55 p.m. on a Ferguson/Clapper motion carried unanimously.

Shannon Malott, Secretary/Treasurer