

WARRINGTON TOWNSHIP  
Minutes of a Regular Meeting of the Board of Supervisors  
Held, pursuant to due notice, in the Municipal Building  
3345 Rosstown Road, Wellsville, PA 17365  
Wednesday, January 20, 2016, 7:00 PM

Presiding: Supervisor Dean Trump, Chairman  
Supervisor David Calderone  
Supervisor George DeFrain  
Supervisor John Dockery  
Supervisor Thomas Hawkins

Staff Present: Terry Myers, P.E., Township Engineer  
Mr. Michael Gasswint, Zoning and Codes Officer  
Rebecca Knaub-Bradshaw, Township Manager and Secretary-Treasurer

The meeting was opened with the Pledge to the Flag.

Minutes. Motion was made by Supervisor Dockery and seconded by Supervisor Hawkins to approve the minutes of the January 4, 2016 meeting as presented. Motion carried unanimously.

Supervisor Trump announced that the Board held an executive session to discuss personnel issues following the December 16, 2015 meeting.

EMERGENCY SERVICES REPORTS

Dillsburg Ambulance. Citizens Hose Company reported responding to 14 calls in Warrington Township during the month of December 2015. The year to date number of responses in Warrington Township is 167 calls.

PUBLIC RECOGNITION

Mr. James Nace, Boring Bridge Road. Mr. Nace said a complaint was filed in 2013 by Greg Ryder regarding excessive barking of dogs on the property beside his on Boring Bridge Road. He asked for the status of that investigation. He said in 2013 the land was sold by Harry Fox and a kennel was constructed to house dogs prior to the dwelling construction. He said the Zoning Officer sent a copy of the Barking Dog Ordinance to the property owner that states that a barking nuisance consists of two continuous periods of barking for fifteen minutes within a 24 hour period of time. Mr. Nace said they have logged such times in 2013 and again on 12/12/2015. He said he was in his deer tree stand on that date and the dog barking was bad. He said the property is owned by Chris Mahoney and Joan Barrett.

Mr. Bob Rickard, Hound Trainer. Mr. Rickard said that in defense of the dogs, he was deer hunting on the Barrett/Mahoney property on 12/12/15 and the dogs were quiet. He said the dogs “spoke” on three occasions in response to gunfire on the neighboring Ryder property for about two to three minutes each time.

Mr. Gregory Ryder, Bull Road. Mr. Ryder said that he is adjacent to the Barrett/Mahoney property and that dogs have been barking for two years. He said the pack of dogs have also trespassed onto his property and been caught mauling fawns. He's reported the situation to the County Dog Warden and the Game Commission. He said a fence was erected by the Barrett/Mahoney property owners along his property line to keep the dogs from trespassing on his side. He said that Joan Barrett has hired a sound technician to record the barking.

Melissa Stonesifer, Boring Bridge Road. Mrs. Stonesifer said that in 2013 she kept a log of barking dogs from the Barrett/Mahoney property but since sound barriers were erected and the house was built the dogs have settled down. She walks her dogs along Boring Bridge Road and the barking from the Barrett/Mahoney property has decreased.

Mr. James Leonard, Bull Road. Mr. Leonard said he lives near the intersection of Rock Ridge Road but can hear dogs barking. He said that after the dogs began barking the population of owls, king fishers and scarlet tanager has dropped. He is against the dog barking for ecological reasons.

Mr. Ted Kuhns, Dover Township. Mr. Kuhns said he hears dogs barking at the Barrett/Mahoney property 24 hours a day. He said he is keeping a log.

Mr. Michael Herr, Conewago Township. Mr. Herr said he has lived at his address for 15 years and has heard the dogs barking since the dogs moved onto the property.

Mr. Geoff Shuff. Mr. Shuff is not a resident of Warrington Township. He said he hears barking inside his home constantly.

Mr. Dave Neuman, Beaver Lane, Newberry Township. Mr. Neuman would like the barking to end.

Attorney Amanda Snoke-Dubbs. Attorney Dubbs is legal counsel for the complainant. She said that she discovered through investigation that Ms. Joan Barrett was operating a kennel without a license and was cited by the Dog Warden. At that time she was not licensed to operate a dog kennel. She is now licensed. She asked if the Township Zoning Ordinance allows a kennel operation in the Conservation Zone. The Supervisors said they would defer this inquiry to the Zoning Officer and Township Solicitor for reply.

Mr. and Mrs. George Henry, Newberry Township. Mr. Henry said he cut his daily walk in half because of the barking and Mrs. Henry said it has changed their quality of life.

Supervisor Dockery said that everyone who attended the meeting will be called to court to testify if a citation is issued and they should prepare their documentation for testimony. Supervisor Trump said if the Township files charges, the complainants will need proof to show there is a problem.

The Township Engineer said that the definition of dog kennel in the Township Zoning Ordinance states that a kennel is for purposes of profit. The Ordinance allows a kennel as a Special Exception in the Conservation Zone. The Township Solicitor will help determine whether or not the kennel would need a Special Exception hearing.

Supervisor Trump said the information will be sent to the Solicitor's office and the Board will follow up with the public attending the meeting.

Charlene Ryder-Shank. Adjoining property owner to the Mahoney/Barrett property, said all the people present would like to be notified. They will leave their mailing addresses with the Board.

Supervisor Dockery said affidavits should be prepared by the complainants and given to the Codes Officer so he can submit them to the Township Solicitor for his review to see if there is sufficient evidence to justify presentation by the Township to the District Justice.

#### SUBDIVISION/LAND DEVELOPMENT PLANS/PLANNING MODULES

David and Connie Ness Subdivision. The plan is to subdivide an existing 94.5 acre tract located on the north and south side of Quaker Meeting Road in the Rural Agricultural Zone. The plan is to propose three new lots to be used for residential purposes. The plan was conditionally approved on April 7, 2010 with the following outstanding items.

1. The plan will need to be signed and notarized by the property owners. (Subdivision Ordinance Section 406.b.27)
2. The PA DEP code number should be added to the plan. (Subdivision Ordinance Section 406.e.7)
3. The plan will need to comply with Recreation Ordinance requirements. (Subdivision Ordinance Section 523)
4. Placement or bonding of concrete monuments is required. (Subdivision Ordinance Section 521)
5. Payment of all outstanding fees to the Township is required. (Subdivision Ordinance Section 521)
6. Improvements to adjacent local streets will be required as directed by the Township Engineer. (Subdivision Ordinance Section 506.e)

Modification requests were granted in April 2010 for:

Section 303 – Submission of a preliminary plan.

Section 406.e.13 – Submission of a stormwater management plan.

Section 511.g – Planting street trees

Application was made and denied for a modification to Section 506.e – In lieu of improvements to adjacent streets dedication of additional right of way. The Board agreed to accept a fee for improvements with the developer removing a bank along Quaker Meeting Road to allow for additional sight distance and proper drainage.

Motion was made by Supervisor Calderone and seconded by Supervisor Dockery to table the subdivision pending submission of revised road improvement fees by the Township Engineer.

Ramsey A and Debra J Barrett, 298 Main Street, Wellsville. The plan is to subdivide 5.21 acres to create a building lot from the residential Lot 1 that will still include 27.62 acres after subdivision.

The plan was conditionally approved September 2, 2015 with the following conditions:

1. The plan needs to be signed and sealed by the design professional prior to recording.
2. The plan needs to be signed and notarized by all parties.
3. Payment of outstanding fees is required.

The plan was brought to the Township with the required signatures and seals but needs to be re-approved due to the 90-day time to record has expired.

Motion was made by Supervisor Hawkins and seconded by Supervisor Dockery to re-approve the subdivision pending all conditions have been addressed. Motion carried unanimously.

### STAFF REPORTS

#### Codes Enforcement

Mr. Tom Goodwin, Zeigler Road. The Codes Officer said Mr. Goodwin is steadily moving forward to bring his salvage yard into ordinance compliance. Mr. Goodwin said that on December 19, 2015, ten people helped him for five hours to remove lots of junk from the south side. He is scheduled to move cars in rows to form twenty foot fire lanes to meet ordinance requirements, pending weather conditions. The Code Officer anticipated with wet conditions the work could continue into June.

Warrington Hunt Club. The Codes Officer sent a letter to the owner concerning a complaint he received about Sunday shooting. He said he received a reply that implied that the property owner himself was doing the shooting.

#### Supervisors

Executive Session. Motion was made by Supervisor DeFrain and seconded by Supervisor Dockery to increase full-time Township employee pay rates by 2% as was included in the 2016 Budget figures and was the result of the personnel discussion December 16, 2015. The rate will be retroactive to the first pay in January 2016. Motion carried unanimously. The 2016 Budget was approved with this pay increase but without a tax increase.

### BUSINESS

Flood Ordinance. The Ordinance presented was updated from the Warrington Township 2009 Floodplain Ordinance currently in effect. The new ordinance includes revisions and suggestions made by the Pennsylvania Department of Community Development and FEMA in an attempt to standardize the ordinances throughout the state. Ordinance 2015-01 Flood Ordinance was approved by the Board and submitted to FEMA but was denied by FEMA. An incorrect date was noted in Section 9.02 that required revision as noted in the letter received from FEMA and additional language was requested for Section 4.02. These items have been revised and advertised for approval. Motion was made by Supervisor Calderone and seconded by Supervisor Dockery to conditionally adopt the revised Ordinance now 2016-01 and submit it to FEMA pending DCED approval of the revisions. Motion carried unanimously.

ACCOUNTS PAYABLE

Motion was made by Supervisor Dockery and seconded by Supervisor DeFrain to approve General Fund accounts payable in the amount of \$33,479.94, Liquid Fuels Fund accounts payable in the amount of \$5,160.94 and Alverta Court Fund accounts payable in the amount of \$591.26. Motion carried unanimously.

ADJOURNMENT

Motion was made by Supervisor Calderone and seconded by Supervisor DeFrain to adjourn the meeting. Motion carried.

The meeting was adjourned at 9:00 PM.

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Township Secretary