

January 11, 2011 - Antrim Township Board of Supervisors

MINUTES OF THE ANTRIM TOWNSHIP SUPERVISORS

REGULAR MEETING

January 11, 2011 7:00 p.m.

The Antrim Township Board of Supervisors held a regular meeting on Tuesday, January 11, 2011 in the Antrim Township Municipal Building, 10655 Antrim Church Road, with the following present: Chairman Sam Miller, Vice Chairman James Byers, Supervisors Rick Baer, Fred Young III and Curtis Myers. Others attending the meeting included Solicitor John Lisko, Brad Graham, Township Administrator and Tom Davis, Public Works Director.

Chairman Miller called the meeting to order at 7:18 p.m. The meeting opened with a word of prayer followed by the Pledge of Allegiance.

Chairman Miller called for Public Comment.

Chairman Miller announced that the Supervisors held an Executive Session prior to the meeting from 6:30 – 7:15 to discuss employee salaries. Miller also announced that we are going to try and make the meeting tonight as short as possible and table some of the items on the agenda due to the inclement weather.

Brenda McQuait addressed the Supervisors regarding the Norfolk Southern air quality report and whether or not the Township has received a copy of it. Mr. Graham responded to Mrs. McQuait and said that Norfolk Southern is going to be sending us a copy of the air quality report but we haven't received it yet. Mrs. McQuait also asked if the No Idling Signs is being enforced by the Township. She believes the Township should send letters to area businesses telling them to put up signs about the No Idling law. Chairman Miller responded that we will discuss these items in a future worksession. Mrs. McQuait also mentioned that there are conflicting reports about the \$43M for the Exit 3 project. Mrs. McQuait was directed to contact Penn-Dot about this issue.

A Baer/Young motion passed with unanimous vote to approve as written the regular meeting minutes from December 14, 2010.

A Baer/Byers motion passed 4-1-0 (Myers abstained) to approve as written the regular meeting minutes from December 29, 2010.

A Byers/Young motion passed with unanimous vote to approve as written the reorganization meeting minutes from January 3, 2011.

A Miller/Myers motion passed with unanimous vote to approve the bills on the Treasurer's reports dated January 11, 2011.

A Miller/Byers motion passed with unanimous vote to approve a 180 day extension request for Antrim Commons Business Park Lots 2, 3, 5 & 6 amended to allow additional time to address Township comments.

A Byers/Myers motion passed with unanimous vote to approve a 180 day extension request for Antrim Commons Business Park Lot 9 to allow additional time to address Township comments and a zoning modification.

A Baer/Myers motion passed with unanimous vote to approve a 180 day extension request for Drive Carts to allow additional time to address Township comments.

A Baer/Byers motion passed with unanimous vote to approve a 180 day extension request for Martin's Farm Trucks to allow additional time to make changes and address Township comments.

A Baer/Myers motion passed with unanimous vote to approve a final plan for Clara Ann Buchanan, a 1 lot subdivision on West Weaver Road.

A Young/Baer motion passed with unanimous vote to approve a final plan for Dean Heinbaugh, a 1 lot subdivision on Tall Cedar Lane.

Item G on the agenda to approve a final plan for Darrell Gible was tabled because fees were not received in time for the meeting.

A Baer/Myers motion passed with unanimous vote to approve a Request from Planning Waiver Non-Building Declaration to be sent to DEP for Martin's Farm Trucks.

Brad Graham, Township Administrator addressed the Supervisors regarding the Lehman Road Box Culvert project. Mr. Graham noted that John has prepared language to enter into an Intermunicipal Agreement with Guilford Township because part of the culvert is in Antrim Township and the other part is located in Guilford Township. He also mentioned to the Supervisors that we need to pass an Ordinance to enter into the Intermunicipal Agreement with another Township. He would like authorization from the Supervisors to advertise the Ordinance.

A Miller/Young motion passed with unanimous vote to approve the Intermunicipal Agreement with Guilford Township, authorization to advertise the Ordinance and once all documents are in place to go out for bid for the Lehman Road Box Culvert project.

Tom Davis, Public Works Director addressed the Supervisors regarding a Request for Proposal that was sent out for traffic light maintenance. Mr. Davis noted that we received 3 RFP's from three different companies and he provided the Supervisors with a copy of the results from the RFP's. Mr. Davis stated that he checked references for the companies that provided RFP's and the company ATS did not seem to have a lot of history and Republic ITS had more history. Mr. Davis spoke with Washington Township because they use Republic ITS and they are very pleased with them. Mr. Davis is recommending that the Supervisors accept the RFP and sign the contract with Republic ITS for traffic light maintenance. Supervisor Baer mentioned that PA Percs needed a 180 day notice at the end of their two year contract with the Township for traffic light maintenance or it would have automatically been renewed.

A Baer/Young motion passed with unanimous vote to accept the proposal and sign the contract with Republic ITS for traffic light maintenance.

Item D under Township Administrator on the agenda to discuss the ATAPCO Grant/Cooperation Letter was tabled.

Brad Graham, Township Administrator addressed the Supervisors regarding a correction that needs to be made for the Park bids that were approved at the December 14th meeting. Mr. Graham stated there was a mix up in the bid amounts that were awarded for the installation of the Basketball and Tennis Courts and the bids that were rejected for the installation of the Pavilion at the Antrim Township Community Park. Mr. Graham stated that the amount for the installation of the Pavilion was mixed up with the amount for the installation of the Basketball and Tennis Courts. Mr. Graham stated that we need to rescind the awarding of the bid for the Basketball and Tennis Courts to GRC General Contractor and award the bid for the Pavilion to GRC General

A Miller/Byers motion passed with unanimous vote to rescind the awarding of the bid for the installation of the Basketball and Tennis Courts to GRC General Contractor and award the bid for the installation of the Pavilion to GRC General Contractor in the amount of \$29,300.00.

Mr. Graham also stated that we need to reject the bids for the installation of the Basketball and Tennis Courts since the lowest bidder David H. Martin did not have the Bidder's Qualification sheet included in the original bid and the next lowest bid amount was \$34,306.78 higher and it would not be in the best interest of the Township to accept this bid.

A Miller/Myers motion passed with unanimous vote to reject all the bids for the installation of the Basketball and Tennis Courts since the lowest bidder David H. Martin did not have the Bidder's Qualification sheet included in the original bid and the next lowest bid amount was \$34,306.78 higher and it would not be in the best interest of the Township to accept the bids and to go out for bid on the project again.

Mr. Graham also addressed the Supervisors regarding the extension of the contract with Global Data for IT services for the Township. Mr. Graham is recommending that although we have had some issues with them that they are working to resolve them and we should extend the contract with them. Mr. Graham noted that there were two changes in the contract from last year, the discount offer for the early payment was reduced 5% and the rate for work outside the scope was raised by \$10.00. There was a short discussion about whether we are happy with their services.

A Baer/Myers motion passed with unanimous vote to approve the extension of the contract with Global Data for IT services for the Township at an annual cost of \$20,550.00.

Item G under Township Administrator on the agenda to discuss a Funding Request Letter to be sent out to Governor Elect Corbett will be passed out to the Supervisors at the end of the meeting for their input.

A Miller/Baer motion passed with unanimous vote to schedule a worksession with Norfolk Southern and ask Todd Rock and Rich Alloway to attend.

Supervisor Young questioned Miller as to why he would like to have a worksession with Norfolk Southern. Miller responded that he would like to have the worksession to discuss the Hykes Road/Williamsport Pike intersection and to find out if there is funding that we could get for this intersection. Chairman Miller directed Brad Graham, Township Administrator to get a date for January and if not to schedule it in February.

Brad Graham, Township Administrator addressed the Supervisors regarding the sale of the water system. Mr. Graham provided to the Supervisors a summary of GAFCWA's responses to the Township's changes to the agreement and there is only one remaining issue, the mandatory connection Ordinance. Mr. Graham noted that PA Act 34 of 2008 is the governing law for mandatory connections and there are no provisions for municipal exceptions to it when a mandatory connection Ordinance is adopted. Mr. Graham states that the GAFCWA would abide by any relief previously offered and sufficiently documented by the ATMA to its customers as well as any such agreements between the GAFCWA and its customers and would consider additional agreements in the future. GAFCWA states that it would follow the law regarding mandatory connections. Mr. Graham noted that the three members of the GAFCWA and Ken Womack are here to answer any questions the Supervisors might have. Supervisor Young commented that in July 2008 the legislature changed the mandatory water connection Ordinance and we need to change our Ordinance to comply with these changes. Young also stated that the previous Ordinance read that if a water line is within 150 feet of a property owner then they must connect to the system but with Act 34 that language was changed slightly to say if there are existing water customers that have a potable water source then they would not be required to connect. Young also mentioned that on 9/2/08 we did have property owners within the Township with exemptions granted because they were prior to July 2008 and he is concerned that the GAFCWA could ask those property owners to connect on to the water system. Young believes that the ATMA set precedence several years ago when they did not require and enforce the mandatory connection Ordinance back to 2004 or 2005 and if the sale goes through this could be changed by the GAFCWA.

Chairman Miller mentioned Hykes Road and Bemisderfer Road as residents that were previously granted exemptions by the Township. Young also mentioned residents of his development and Miller commented that those residents are in the Borough not the Township. Mr. Miller from the GAFCWA commented that a municipal authority is a business and when a person pays a tapping fee, they in a sense buy a share and Act 57 tells them that they take the value of the water system and divide it by the capacity and it is the GAFCWA's job to make the system run productively. Mr. Miller also commented that recently they had to increase the water rates to cover their costs. Mr. Miller also noted that a mandatory connection Ordinance is in place so you can ensure you have enough people connected to the system to make it productive and when you grant exemptions then you are not running the system effectively. Mr. Miller also stated that he thought if the developer puts in the line then it's voluntary to connect but if the authority puts in the line then connection is mandatory. Solicitor John Lisko stated that this is not a correct statement and it doesn't matter who runs the line. Mr. Miller reiterated that it is the GAFCWA's job to make the line as productive as possible. Supervisor Young commented that the Hykes Road line was run for Jerr-Dan and they absorbed the costs to run the line and there were 10 – 12 residents who would have been required to connect but the ATMA decided they were not going to burden those residents to connect. Solicitor Lisko advised that the change in the Act provided relief for residents affected after the law was changed but not those affected prior to the law being changed and the GAFCWA does not want the language in the agreement changed to reflect this. Supervisor Myers asked if the GAFCWA could get a list of property owners that would be affected by the mandatory connection Ordinance and as long as they live there then they would not be required to connect. Chairman Miller asked Mr. Miller from the GAFCWA if they would be willing to exempt those residents on Hykes Road and Bemisderfer Road. Mr. Miller states he is trying to make the system as productive as possible and if we grant exemptions then we are not doing that. Supervisor Myers asked if the GAFCWA could exempt this for the current property owners and Mr. Miller responded that they would give this serious consideration. There was also a discussion about the Township having input in the representation on the GAFCWA. Ken Womack noted that they will make the loan numbers correct at closing. There was also a discussion about making sure that the warranty for the upgrade work done at the Antrim Township Water Treatment Plant would be transferred to the GAFCWA. There was also mention of a side agreement that would be entered into with the GAFCWA to protect the Township if a sewer customer does not pay then they would be willing to shut-off the water service. It was also noted that the representation would possibly be done as a side agreement with the GAFCWA.

A Miller/Myers motion passed 4-1-0 (Young abstained) to take the sale agreement of the water authority with the language that existing property owners with a list of names that received exemptions previously and if the property owner sells the property then they would be required to connect and to take the assumption of the loan with the GAFCWA.

Mary Klein, Township Secretary addressed the Supervisors regarding the 2011 PSATS dues renewal and asked if the Supervisors would like to eliminate any of the items regarding the Legal Defense Fund and the New Laws Service.

A Young/Baer motion passed with unanimous vote to eliminate the Legal Defense Fund from the 2011 PSATS dues renewal in the amount of \$165.00.

The Supervisors decided they would keep the New Laws Service because they like to receive the updated information on new laws from PSATS.

Ms. Klein also addressed the Supervisors regarding the audit arrangement letter from Boyer & Ritter for the 2010 audit. She stated that the letter outlines the duties they will perform in the audit and the cost to perform the audit of \$20,100.00, which is in line with the proposal we received from them previously.

A Young/Miller motion passed with unanimous vote to approve signing the audit arrangement letter from Boyer & Ritter to perform the 2010 audit.

Items B, C, D & F under Supervisors were tabled until the next meeting.

Chairman Miller addressed the rest of the Supervisors and suggested that the Township send out a newsletter to notify residents about Norfolk Southern and the road closings issues. Miller thinks we need to show transparency to the residents regarding this project. Supervisor Myers thinks we need to time it with the worksession to give the residents the results from the worksession. Miller directed Brad Graham, Township Administrator to start working on coordinating a newsletter.

Chairman Miller called for public comment. There was none at this time.

A Baer/Myers motion passed with unanimous vote to adjourn the regular meeting at 8:35 p.m.

Respectfully Submitted,

Mary A. Klein

Secretary