

# **May 12, 2011 - Antrim Township Board of Supervisors**

## **MINUTES OF THE ANTRIM TOWNSHIP SUPERVISORS**

### **REGULAR MEETING**

**May 12, 2011 7:00 p.m.**

The Antrim Township Board of Supervisors held a regular meeting on Thursday, May 12, 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 Sylvia House, Zoning Officer.

Visitors: See the attached list.

Chairman Miller called the meeting to order at 7:03 p.m. The meeting opened with a word of prayer followed by the Pledge of Allegiance.

Chairman Miller called for Public Comment.

Mike Still addressed the Supervisors regarding the election campaign and the concern with taxes. He feels we are not doing enough to attract businesses and he wants to know if we could set up a committee with the Borough of Greencastle and the school district to discuss ways to bring businesses here. Chairman Miller responded that he and Supervisor Myers called developers when they first came on the Board to actively try to seek businesses coming to the Township. Supervisor Baer said he has also talked to FCADC to try and get a game plan with Mike Ross. Vice Chairman Byers arrived at this time – 7:05 p.m. Chairman Miller addressed Pat Coggins from ATAPCO about anything they are doing to get businesses to come here. Mr. Coggins responded that they are looking at ways to come up with vehicles to attract businesses and are talking with the school district about giving tax incentives. He also noted there are some real prospects out there and there is existing space that they are competing with and they are trying to maintain their costs. Mr. Coggins also stated that Mike Ross is chasing money that is coming through the State and being our cheerleader. Supervisor Young addressed Mr. Still and stated that one important thing he can do is elect municipal representatives, school district Board members and County Commissioners that are for economic development.

A Myers/Miller motion passed 3-2-0 (Byers & Baer abstained) to approve as written the joint meeting minutes from April 14, 2011.

A Baer/Young motion passed 3-1-0 (Miller abstained) to approve as written the regular meeting minutes from April 26, 2011.

A Baer/Myers motion passed with unanimous vote to approve the bills on the Treasurer's reports dated May 12, 2011.

Sylvia House, Zoning Officer addressed the Supervisors regarding a modification request from 125-45(C) for Augusta Partners. This section of the code requires an 80' Right-of-Way and a 32' cartway for a commercial development. They are asking for a 50' Right-of-Way and a 26' cartway, which are the regulations for a residential street. Dewberry recommended that the developer provide a good explanation as to why the lesser standards should be considered. The developer provided an explanation that there is a scenic easement that runs along I-81 that they cannot build into. There is a cul-de-sac that dead ends at the I-81 ramp so it can not be connected onto limiting the amount of traffic that will travel the road. The road is proposed to be dedicated to the Township.

A Baer/Young motion passed with unanimous vote to approve a modification request from 125-45(C) for Augusta Partners to allow only a 50' Right-of-Way and a 26' cartway.

Sylvia House, Zoning Officer also addressed the Supervisors regarding a modification request from 125-45(Q) for Augusta Partners. The section of the code requires a 500 foot radius and they are asking for a 200 foot radius. Dewberry recommends granting the modification as long as traffic calming devices are in place such as signage with a lower speed limit. The narrower road also aids in slower traffic patterns.

A Baer/Byers motion passed with unanimous vote to approve a modification request from 125-45(Q) for Augusta Partners to allow only a 200 foot radius as long as traffic calming devices are in place such as signage with a lower speed limit to our engineers satisfaction.

Sylvia House, Zoning Officer also addressed the Supervisors regarding a modification request from 125-45(N)(9) that requires all drive and parking areas to be paved for Dennis Rife. He is requesting a modification from this because it is a farm lane for a poultry barn.

A Myers/Byers motion passed with unanimous vote to approve a modification request from 125-45(N)(9) for Dennis Rife to allow the driveway/farm lane to remain as gravel areas.

A Young/Baer motion passed with unanimous vote to approve a Standard Stormwater Maintenance and Monitoring Agreement for Antrim Commons Business Park Lot 9.

A Baer/Byers motion passed with unanimous vote to approve extension requests for the following plans: a 365-day extension for Heritage Hills, an 85-lot residential subdivision on Rosebud Drive; a 180-day extension for Century Commercial Park, a 4-lot Commercial subdivision on Molly Pitcher Highway South; a 180-day extension for Antrim Meadows Phase 2A and 2B, a 43-lot residential subdivision on Williamsport Pike; a 60-day extension request for Barr Dairy Farm, an Agricultural Land Development on Hollowell Church Road.

A Young/Baer motion passed with unanimous vote to approve a final plan for Clement Haldeman, a 1 lot addition on Williamsport Pike.

A Baer/Myers motion passed with unanimous vote to approve a Request from Planning Waiver – Non Building Declaration to be sent to DEP for Clement Haldeman.

Resolution #230: A Young/Byers motion passed with unanimous vote to approve a Sewer Facilities Planning Module to be sent to DEP for Olde Sycamore Estates.

A Young/Baer motion passed with unanimous vote to approve an exemption mailer that allows for five (5) EDU's to be sent to DEP for the Franklin County Regional Intermodal Facility.

Sylvia House, Zoning Officer addressed the Supervisors regarding a bonding request for Antrim Commons Business Park. The bond they will be required to give will be for \$8M and they are asking to be relieved from some of the bonding by eliminating the "required" improvements and only bonding the "public" improvements. The cost for this bond will be approximately \$56K for bonding for the

project. Solicitor Lisko said he reviewed the bond list and it looks like this is all for public road and stormwater improvements. Tim Hogan responded that some of the items are for site lighting and landscaping and he has never seen these items be required for bonding. Pat Coggins said they will provide 110% bonding for the public roads and the other public improvements. Solicitor Lisko responded that according to the MPC for a final approval of the plan the improvements must be made or we must have bonding. Lisko explained that if someone buys a lot and the developer doesn't finish all of the improvements then the Township will be held liable and they could sue us. Lisko explained that they cannot sell any lots before final approval of the plan and our Ordinance says that all improvements must be made. Paul Schemel, legal counsel for ATAPCO explained that the project secures itself and they are building a 1.2M square foot building and they will be carrying the costs of the bonding and he doesn't feel that on-site improvements should be bonded. Solicitor Lisko stated that no plat shall be approved without the improvements either being done or bonded. He said with another plan we entered into an agreement for a second mortgage and the agreement stated they couldn't sell the lots until they provided bonding. Tim Hogan said he would like to get a list of the itemized public improvements and not provide bonding for all of the on-site improvements because we are the only jurisdiction that requires this type of improvements. Solicitor Lisko responded that this is from the MPC and the Supervisors can't change this and the buyer could require the Township to finish the improvements. Mr. Hogan responded that these are sophisticated buyers and they have civil engineers and they will be looking at everything before they sign the contract to buy. Paul Schemel commented that the Supervisors have the authority to grant modifications. Supervisor Baer stated he thinks we need to look at the breakdown of the bonding and determine what is for the parking lot, landscaping and site lighting. Supervisor Byers commented that we need to protect our taxpayers. Supervisor Young asked if they could break this out better. Mr. Hogan stated they could break out the estimates. Pat Coggins added that they are processing a speculative plan and they want to have a plan in place in case they have a buyer and he wants to be ready. Solicitor Lisko said at the very least there should be a note on the plan that the lot will not be sold until the improvements are made or bonding is provided. Mr. Coggins asked if everything is in place and we don't have the plan finally approved, you mentioned that we could do the work and how long can it be a preliminary plan? Solicitor Lisko responded that the preliminary plan is good for five years. Pat asked if there was a simple lot and no subdivision and just a commercial development would they have to go through this and file a land development plan. Zoning Officer House responded that a Land Development Plan would be required. Solicitor Lisko responded that the MPC was filed in 1968 and it cut homeowners a break but they required commercial developments to do this. Mr. Coggins asked if I have a preliminary plan could he rely on it and there would be no risk to him that the Supervisors wouldn't approve the final plan. Zoning Officer House responded that if there were no changes from the Preliminary plan to the Final plan then the Supervisors had to approve it. Supervisor Myers asked if we could make a motion and see if it passes. Solicitor Lisko responded that they can do this but he thinks they need to consider this further. Myers asked if their engineer and our engineer could look at it and agree on the public improvements. It was decided to table this until the next meeting when we get a better breakdown of the items. Mr. Coggins said he could get this to us sometime next week.

Sylvia House, Zoning Officer gave the Supervisors an update on the Harshman stormwater complaint. Mrs. House said she gave the Supervisors an update at the last meeting and stated that the grant money would be applied for by the farmer and funds would be granted to the farmer and nothing would run through the Township. Mrs. House said Mr. Harshman dropped the paperwork off to us and wants us to fill it out.

A Myers/Young motion passed with unanimous vote that we will not fill out the paperwork for the grant application for Mr. Harshman.

Supervisor Young addressed Chairman Miller and said it was my understanding that he talked to you about this and I understand he can be abrasive but did you tell him to plant rice? Miller responded that he has known him for years and it was a strict joke.

Ordinance #322: A Miller/Young motion passed with unanimous vote to approve the ordinance to enter into an Intergovernmental Agreement and sign it with Guilford Township.

A Baer/Young motion passed with unanimous vote to renew a letter of credit for the same amount of \$82,692.00 due to the economy for Pleasant Walk Estates as long as we receive the new letter of credit no later than noon on Friday, June 3, 2011 or staff shall be authorized to call the letter of credit.

A Baer/Young motion passed with unanimous vote to renew a bond for the same amount of \$114,400.00 due to the economy for Melrose Meadows Phase 3 as long as we receive the new bond no later than noon on Friday, June 10, 2011 or staff shall be authorized to call the bond.

A Young/Baer motion passed with unanimous vote to renew the bonds for the same amount of \$276,720.95 for Phase 3, \$463,614.48 for Phase 4 and \$944,344.50 for Phase 5 of Artery Rolling Hills due to the economy as long as we receive the new bonds no later than noon on Friday, June 10, 2011 or staff shall be authorized to call the bonds.

Brad Graham, Township Administrator addressed the Supervisors regarding the HOP application for Commerce Drive. Mr. Graham stated that we are waiting for the engineers review but Penn-Dot refused to move forward with their reviews until we sign the HOP application. Mr. Graham informed the Supervisors that he was going to sign the HOP application so Penn-Dot would move forward with the reviews.

Mr. Graham also gave the Supervisors an update on the ATCP concession stand. Mr. Graham stated that unless otherwise directed, they are going to install gravel in the area where the concession stand would have been. Mr. Graham asked if we should lay the footer and Supervisor Baer responded that we should not lay the footer at this point. Chairman Miller said that he spoke to Keith Yohn of the Vo-Tech school and he said they were committed to doing this with a time frame of two years. The only expense the Township would have would be to pay the students transportation and insurance costs and for the materials. Chairman Miller said we need to act on something. Mr. Graham noted that there is reduced interest in using the fields because there is no concession stand. Vice Chairman Byers thinks we should hire a retired contractor to oversee the project. Supervisor Young asked will DCNR still fund the materials if we go this route. Mr. Graham noted that we will be using standard block with a brick ledge that will allow us to add facing or stone at a later time if we wish to do so. Mr. Graham responded to Supervisor Young's question and said that he needs to find out the status of the DCNR grant and we might spend the same amount of money as what our match for the grant would be. Supervisor Baer said he's okay with the Vo-Tech doing it.

A Miller/Baer motion passed with unanimous vote to pursue the Vo-Tech building the concession stand at the Antrim Township Community Park.

Mr. Graham addressed the Supervisors and reminded them about the worksession coming up this Tuesday at 4:00 p.m. Supervisor Myers stated that he would not be able to make the meeting. Mr. Graham noted that he is hoping to discuss Hykes Road at the worksession.

Mr. Graham also addressed the Supervisors regarding the Park Facilities Grant applications we received and the recommendations we received from the Park Committee. Supervisor Byers questioned what the start-up costs were for the G-A YMCA. Mr. Graham did not know the specifics of what they were asking for relating to start-up costs and said he will have to find out more information.

A Baer/Young motion passed with unanimous vote to award all of the park committees

recommendations for the Park Facilities Grants with the exception of the G-A YMCA start-up costs until we receive more information on this. Park Facilities Grant awards are as follows:

Organization/Facility Name	Items Funded	Grant Amount
G-A Organized Youth Foundation		
(Train Station)	Down spouts, front gutters	\$1,840.00
Kauffman Ruritan Community Center	Mulch, Batting Cage	\$3,500.00
Shady Grove Improv. Assoc.	Soccer goals, net, corner flags, etc.	\$894.00
G-A Midget Football Assoc.	Rolling & reseeding game field	\$2,000.00
Jerome R. King Playground Assoc.	3 Swings w/ frames & hardware	
	3 bucket seat swings	\$3,090.00
State Line Youth League	Water & Waste storage tank	\$3,000.00
G-A Baseball/Softball Assoc.	Towards repair & purchase bleachers	\$2,000.00

G-A Soccer Assoc. Storage Shed & 3 Goals \$3,609.00
Kauffman Ruritan Community Center Additional for maintenance \$2,266.75
Shady Grove Improv. Assoc. Additional for maintenance \$2,266.75
Jerome King Playground Additional for maintenance \$2,266.75
State Line Ruritan Additional for maintenance \$2,266.75
Totals \$29,000.00

A Baer/Young motion passed 4-1-0 (Byers opposed) to approve the annual contribution to the Lilian S. Besore library in the amount of \$5,000.00.

A Baer/Miller motion passed 4-1-0 (Byers opposed) to approve the annual contribution to the Franklin County Drug Task Force in the amount of \$3,867.83.

Item D on the agenda under Supervisors for Medic 2 was taken off the agenda.

A Myers/Baer motion passed with unanimous vote to accept with regret the resignation of Tom Davis, Public Works Director.

A Myers/Young motion passed with unanimous vote to accept with regret the resignation of Ami Myers, Part-time Custodian.

Chairman Miller called for public comment.

Resident Bob Smith addressed the Supervisors regarding the Harshman matter and that a letter was sent to a resident that they cannot pump water onto their property. Mr. Smith said the whole problem out there is a water table issue. Brad Graham, Township Administrator responded to Mr. Smith that the letter was sent from the Township but it said that they cannot pump water onto another residents property but they can pump it onto their own property. Mr. Smith said he just wanted to let us know because we may hear some complaints.

It was announced that an Executive Session was needed at this time to discuss personnel matters.

A Baer/Miller motion passed with unanimous vote to adjourn into Executive Session at 8:35 p.m.

A Baer/Myers motion passed with unanimous vote to adjourn the Executive Session and resume the regular meeting at 9:24 p.m.

A Baer/Young motion passed with unanimous vote to adjourn the regular meeting at 9:25 p.m.

Respectfully Submitted,

Mary A. Klein

Secretary