

July 26, 2011 - Antrim Township Board of Supervisors

MINUTES OF THE ANTRIM TOWNSHIP SUPERVISORS

REGULAR MEETING

July 26, 2011 7:00 p.m.

The Antrim Township Board of Supervisors held a regular meeting on Tuesday, July 26, 2011 in the Antrim Township Municipal Building, 10655 Antrim Church Road, with the following present: Chairman Sam Miller, Supervisors Rick Baer, Curtis Myers and Fred Young III. Others attending the meeting included Solicitor John Lisko, Brad Graham, Township Administrator, Carl Rundquist, Public Works Director and Sylvia House, Zoning Officer. Vice Chairman James Byers was absent from the meeting.

Visitors: See the attached list.

Chairman Miller called the meeting to order at 7:00 p.m. The meeting opened with a word of prayer followed by the Pledge of Allegiance.

Chairman Miller called for Public Comment. There was none at this time.

The approval of the minutes from the July 12, 2011 regular meeting were tabled because there was not a quorum present that attended the meeting to approve them.

A Baer/Young motion passed 4-0 (Byers was absent) to approve the bills on the Treasurer's reports dated July 26, 2011.

Sylvia House, Zoning Officer addressed the Supervisors regarding a request from ATAPCO to dedicate the roads in Antrim Commons Business Park. She noted that normally we would require them to have the development mostly built out before accepting dedication of the roads but in their case, they have not built a single lot. Supervisor Young noted that he has looked at the road and it looks great. Supervisor Miller stated he is not in favor of accepting dedication of the roads unless we would have something in place to say that ATAPCO would be responsible for any damages to the road during construction of the development. Pat Coggins from ATAPCO stated they would be willing to extend a maintenance bond beyond the required 18 months. Mr. Coggins noted they are asking for the road dedication because there is a time deadline for the Food Lion agreement with the Norfolk Southern project. He stated that either they will have to give them an easement across the property or have the road dedicated. Tim Hogan stated that some of the smaller parcels won't be built for 15 – 20 years. The Supervisors asked new Public Works Director, Carl Rundquist what his thoughts were on the subject. Mr. Rundquist stated that he thinks we need to be covered down the road in case there are damages to the road. Solicitor Lisko added that we could write in the Deed of Dedication that ATAPCO will have a maintenance bond in place until 75% of the project is completed and without the maintenance bond then ATAPCO would be responsible for any damages to the road from construction vehicles until 100% of the development is built out. There was also a question at this time about the amount of the maintenance bond. Solicitor Lisko recommended allowing ATAPCO to prepare a Deed of Dedication that they would do a maintenance bond for 15% of the cost of construction. Lisko asked Mr. Coggins to have his attorney prepare a Deed of Dedication and get it to him for his review. Mr. Rundquist also added that we should ask for any utility repairs also. Mrs. House stated that they are also asking for a sewer dedication. The Supervisors all agreed to have Solicitor Lisko review the Deed of Dedication that is prepared by ATAPCO's attorney and bring it back to a future meeting for consideration.

A Young/Miller motion passed 4-0 (Byers was absent) to approve an exemption from §130-48 Amusement Tax for Crossroads Church, a non-profit organization, for a music festival they are holding

at the church.

A Young/Miller motion passed 4-0 (Byers was absent) to authorize the Chairman to sign the Grove Grinder Pump Agreement.

A Young/Miller motion passed 4-0 (Byers was absent) to accept the withdrawal of a plan from North Shore One, a Commercial Land Development on Buchanan Trail East.

Sylvia House, Zoning Officer addressed the Supervisors regarding a final plan approval for Dean Heinbaugh. She noted that the ATMA disapproved the plan because both laterals entered the same side of the duplex instead of each lateral entering each half of the duplex.

A Miller/Baer motion passed 4-0 (Byers was absent) to approve a final plan for Dean Heinbaugh, Cedar View lot 25, a duplex subdivision on Tall Cedar Lane. It was noted that the sewer laterals entering the same side of the duplex to serve both halves is not an ideal situation but we can't expect them to change something that was approved in the past and already in place.

A Young/Miller motion passed 4-0 (Byers was absent) to approve a final plan for Olde Sycamore Estates, a 2 lot subdivision for a single family home on McDowell Road. It was noted that all fees have been paid, no bonding is required and we have received approval of the Sewer Facilities Planning Module from DEP.

Resolution #233: A Baer/Young motion passed 4-0 (Byers was absent) to authorize sending a Sewer Facilities Planning Module to DEP for an on-lot septic system for Jean and Vernon George, a subdivision for a single family home on Antrim Church Road.

Mrs. House also addressed the Supervisors regarding the Columbia Gas Easement Agreement. She stated that Columbia Gas sent us a drawing back of where they would like to move the line but it's not where we said we wanted it. She wanted to know if the Supervisors would like her to go back to them and see if they will move it to the existing property line. The Supervisors were all in agreement that they would like it moved to the existing property line.

A Baer/Young motion passed 4-0 (Byers was absent) to authorize releasing Certified Check #40568 in the amount of \$5,000.00 for WHGT Radio Tower as it has been confirmed that all interference issues have been addressed and corrected.

Brad Graham, Township Administrator addressed the Supervisors regarding the ATMA Lease Agreement. Mr. Graham noted that the temporary lease that was put in place when the Sewer Bond refinancing was done could be left in place but there are some differences in this lease from the previous lease that he wants to make sure the Supervisors are aware of the changes. He is asking for two Supervisors to be on a committee to discuss the current lease agreement with two members of the ATMA along with the Township and ATMA solicitors. It was decided that Vice Chairman Byers and Supervisor Young would serve on the committee with Supervisor Myers as the alternate if Vice Chairman Byers is not able to attend the meeting. Township Solicitor John Lisko stated that he would like the committee to meet an hour before the next ATMA meeting on August 29th at 6:00 p.m., since ATMA Solicitor Linus Fenicle would already be coming here to attend the ATMA meeting that night.

Mr. Graham also addressed the Supervisors regarding the Park & Recreation survey recommendation from the Park Committee. Mr. Graham stated that the Park Committee would like to set up a Facebook page about the Antrim Township Community Park so they could put the Park and Recreation Survey on the page and use it to promote park facilities and events. Mr. Graham wanted to know if the Supervisors would be okay with this option since there would be no charge to set up the Facebook page. The Supervisors were okay with having the page set up and they asked Mike Still, who is a Park Committee member and was in the audience tonight, if he would be willing to set up the page and

monitor it. Mr. Still stated that he would be willing to set up the Facebook page and take care of monitoring it.

An item regarding Patton Bridge Road stream access was tabled at this time since the visitors listed on the agenda to talk about this issue were not in attendance.

Mr. Graham also addressed the Supervisors regarding the Road Paving bids that were received for the 2011 Road Paving Projects. Mr. Graham noted that the lowest bid we received was from Valley Quarries with a bid total of \$1,110,449.75 and he recommends that the Supervisors accept this bid as all the paperwork is in order. The paving project will include Coseytown Road, Maryland Line Road and Ridge Road.

A Baer/Myers motion passed 4-0 (Byers was absent) to accept the paving bid from Valley Quarries, Inc. for the 2011 Road Paving Project in the amount of \$1,110,449.75 to include Coseytown Road, Maryland Line Road and Ridge Road.

Mr. Graham noted that the bid from Valley Quarries was within the amount that was budgeted for the road paving projects this year.

Mr. Graham also addressed the Supervisors regarding the bids that were received for the electrical work for the Concession Stand at the Antrim Township Community Park. He noted that the lowest bid we received was from Thomas Electric with a bid of \$20,195.00 with a deduction of \$2,275.00 for surface mounting of the electric. Mr. Graham stated that we will only accept the deduction for the surface mounting if DCNR will allow this as part of the grant. Mr. Graham noted that with the deduction of \$2,275.00, it will bring the bid total down to \$17,920.00.

A Baer/Young motion passed 3-1-0 (Miller opposed & Byers was absent) to accept the electrical bid for the Concession Stand at the Antrim Township Community Park from Thomas Electric in the amount of \$20,195.00 with a deduction of \$2,275.00 for surface mounting of electric as long as DCNR will allow the deduction as part of the grant.

Supervisor Baer asked Solicitor Lisko why the contractors cannot use a certified check for bonding. Solicitor Lisko responded that it's in the Second Class Township Code that it has to be a bond.

Mr. Graham also addressed the Supervisors regarding a service contract for HVAC maintenance at the Township building that he would like authorization to sign. They would perform bi-annual maintenance on the HVAC system for a cost of \$593.00 per year.

A Miller/Baer motion passed 4-0 (Byers was absent) to authorize Brad Graham, Township Administrator to sign the service contract for HVAC maintenance with CS & E to perform bi-annual maintenance on the HVAC system at the Township building for a cost of \$593.00 per year.

Mr. Graham also addressed the Supervisors to obtain approval to close the Township office on Tuesday, August 2, 2011 for a day of filing.

A Baer/Miller motion passed 4-0 (Byers was absent) to approve closing the Township office on Tuesday, August 2, 2011 for a day of filing.

Mr. Graham also addressed the Supervisors regarding a field maintenance request from the Park Committee for the baseball and soccer fields. They are recommending that the Supervisors budget for installing irrigation for the fields. Chairman Miller asked how much this might cost. Supervisor Baer said he is trying to get a cost for this from East Coast Green but he hasn't received anything back from them yet. It was decided that we would get estimates from a valid company with prices for this.

Chairman Miller addressed the rest of the Supervisors regarding some comments he has received from some concerned residents about some issues out at the park. The first comment was regarding the drain

tiles under the bike path. He stated that kids are crawling in them and he thinks we need to put something over them to keep the kids out of them. Administrator Graham said he will check into this. The second comment was regarding the drain tile plastic wall at the soccer field. He stated that residents are concerned that someone is going to fall off of it. The last comment was regarding advertising for feedback on what to do out at the park.

Mr. Graham also addressed the Supervisors regarding another request from the Park Committee to start stock piling mushroom soil to use as a top dressing for the baseball and soccer fields at the ATCP. There was no comment on this item from any of the Supervisors.

Supervisor Myers made a comment about the soccer goal posts out at the park and having them put in one location. He stated that Lee Stoops, part-time Park Attendant, mentioned that he has to move them every time he mows.

Mary Klein, Township Secretary addressed the Supervisors regarding obtaining approval to pass a resolution to destroy financial records that date back to 1989. She noted that back in June 2010 the Supervisors passed a resolution to follow the schedules and procedures for the disposition of records as set forth in the Municipal Records Manual but we need to pass a resolution each time we dispose of records and state what the records are in the resolution. The records requesting to be destroyed include Accounting Reports, deposit slip books, paid invoices, deposit receipt records, cancelled bank checks and bank statements. This would be done on the day the office is closed for filing.

Resolution #234 – A Myers/Baer motion passed 4-0 (Byers was absent) to pass a resolution to destroy financial records containing Accounting Reports, deposit slip books, paid invoices, deposit receipt records, cancelled bank checks and bank statements dating from 1989 thru 2003.

Chairman Miller addressed Administrator Graham and asked if he has checked into doing CDL physicals. Mr. Graham responded that he is checking with our labor attorney about this to make sure we are okay to do them. He also needs to know how we would handle if someone comes back with a poor result and what the next step would be.

Chairman Miller also addressed the Supervisors and Mr. Graham regarding the transmittance issue at the Sewer Plant involving the landfill. He would like to see this resolved before Pat Heraty takes office because he thinks it will be a conflict of interest because he works for Waste Management. Mr. Graham stated that he has Carl Rundquist working on this. Miller stated that we were supposed to tell the landfill how much it will cost for us to treat their sewage and they agreed to pay for it. Miller added that Brinjac has already given us a report on this. Mr. Graham noted that Roger Nowell, Water Plant and temporary Sewer Plant Operator, has been putting other processes in place that have improved the levels.

A Miller motion died for lack of a second to resume the sale of the water system to the GAFCWA.

Supervisor Myers asked if this could be tabled until Vice Chairman Byers is present so that we have a full Board to vote on this matter. Chairman Miller agreed that everyone should be present to vote on the matter.

Supervisor Myers addressed Mr. Graham and the rest of the Supervisors regarding Tom Moore who attended the last meeting regarding the Hess Development residents. Myers wants to suggest that we send a letter to the GAFCWA telling them that this Board exempted this development back in 2007 and they should cease all intimidation to get these residents to connect. The Supervisors were all okay with Mr. Graham drafting a letter and sending it to them. Chairman Miller addressed Supervisor Myers and stated that we came to a fair and reasonable agreement and we signed it. However, GAFCWA did not agree to the tap fee for the next eight years but we didn't sign that agreement. Chairman Miller addressed Ken Izer, who was present in the audience, and asked if his mother has hooked on. Mr. Izer

responded that yes his mother has hooked on because her well pump went bad.

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

A Miller/Myers motion passed 4-0 (Byers was absent) to adjourn into Executive Session at 7:54 p.m.

A Young/Baer motion passed 4-0 (Byers was absent) to adjourn the Executive Session and resume the regular meeting at 8:35 p.m.

Solicitor John Lisko announced that we discussed the Greencastle Land litigation, State Line Motel civil suit, the Pat Fridgen appeal and a personnel matter.

A Miller/Myers motion passed 4-0 (Byers was absent) to sign the agreement for State Line Motel once an item to terminate service is added to the agreement.

A Miller/Young motion passed 4-0 (Byers was absent) to allow employees to build comp time for 90 days and to accumulate comp time in one hour increments.

A Baer/Myers motion passed 4-0 (Byers was absent) to adjourn the regular meeting at 8:36 p.m.

Brad Graham, Township Administrator announced that he would like an Executive Session after the meeting to discuss a personnel matter.

Respectfully Submitted,

Mary A. Klein

Secretary