

June 28, 2011 - Antrim Township Board of Supervisors

MINUTES OF THE ANTRIM TOWNSHIP SUPERVISORS

REGULAR MEETING

June 28, 2011 7:00 p.m.

The Antrim Township Board of Supervisors held a regular meeting on Tuesday, June 28, 2011 in the Antrim Township Municipal Building, 10655 Antrim Church Road, with the following present: 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. Chairman Sam Miller was absent for most of the meeting.

Visitors: Paul Schemel for Patton Bridge Road, Chuck Frame from Boyer & Ritter and see the attached list for other visitors.

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

Vice Chairman Byers called for Public Comment. There was none.

A Baer/Myers motion passed 4-0 (Miller was absent) to approve as written the regular meeting minutes from June 14, 2011.

A Young/Baer motion passed 4-0 (Miller was absent) to approve the bills on the Treasurer's reports dated June 28, 2011.

Attorney Paul Schemel addressed the Supervisors and stated he is representing Bill & Heidi Yaukey, who own property on Patton Bridge Road. Mr. Schemel stated that a portion of the road was abandoned by the Township and it cuts off at the end of the Yaukey's property. The Yaukey's are getting a lot of problems with people coming onto their property with drug paraphernalia, shooting guns and leaving appliances on their property. Mr. Schemel said the Yaukey's are asking for the Township to consider moving the existing gate approximately 100 feet beyond the Yaukey's property because this is where all the problems seem to be taking place. Mr. Schemel stated that people also walk on the Yaukey's real estate to access the Conococheague Creek and this is legally considered trespassing. He also noted the road is secluded and the Yaukey's have placed "Posted Property" signs on their property but they are either ignored or the trespassers are shooting holes in them. Mr. Yaukey was asked how many driveways and other properties there are along this road. Mr. Yaukey responded that there are at least five other properties that are affected. Mr. Yaukey also noted he has called the State Police several times and with their limited response time of about 45 min. to an hour, most times the people have either left or have gone somewhere on the property where they can't be located. He also noted that since March the State Police have responded to about 8 or 9 calls. Mr. Schemel stated that the area cannot be policed effectively. Supervisor Baer responded and said he would like to see a turn around at the gate. Mr. Yaukey responded and said he would be willing to pay for a new gate. Vice Chairman Byers said the Supervisors would like to research this further and would like the Yaukey's and Mr. Schemel to come back to the second meeting in July once the Supervisors are able to gather more information.

Chuck Frame from Boyer & Ritter addressed the Supervisors and gave them an overview of the Township's 2010 audit. Mr. Frame went over the Financial Statements first and told the Supervisors that the first set includes the Fixed Assets as an asset and the Statement of Activities treats the Fixed Assets as an expense in the year they were purchased. Mr. Frame also mentioned that the Municipal Authority is a part of the Township's reporting because the Township Sewer and Authority Sewer funds

are combined. Mr. Frame also mentioned that there were only 18 audit adjustments, which he indicated was a very low number and he commended Township Secretary Mary Klein for the good job she is doing. Mr. Frame did mention most of the things they noted during last year's audit were all addressed and corrected for this year's audit. He also mentioned the items they found during this audit that they would like to see the Township address this year. Mr. Frame stated that the billing process needs some tighter internal controls because the person who prepares the bills is also the person who can make adjustments to the customer accounts. Mr. Frame said they would like to see that any adjustments that are made to a customer account be approved first by Mary Klein, Township Secretary or Brad Graham, Township Administrator. He also stated they would like to see a quarterly reconciliation done for the billings to check for any discrepancies and adjustments made on the accounts. Ms. Klein noted that we have already started doing the quarterly reconciliations. Mr. Frame also mentioned that the payroll process needs some tighter internal controls because the person who prepares the payroll also cuts the checks and prepares the bank reconciliations. He stated there should be a segregation of duties and someone else should at least review the bank statements and reconciliations. Ms. Klein noted that the payroll reports are being sent to the Supervisors and Brad Graham, Township Administrator is reviewing the bank statements and reconciliations. Supervisor Young asked Mr. Frame in his opinion what the general health of the Township is. Mr. Frame responded that the financial condition of the Township is better this year than it was last year. He noted that in Government funds the revenues exceeded the expenses by \$3.4M and in Business Type Activities the revenues exceeded the expenses by \$2.2M. He noted that roads and sewer mains were dedicated that helped with these numbers being so high. Mr. Frame also noted that we budgeted to spend \$3.9M but only spent \$2.5M. Vice Chairman Byers asked with all the different banks merging how can we be sure the Township's money is secure. Mr. Frame noted that the first \$250K in deposits are covered by the FDIC and then Act 72 requires the bank to pledge collateral equal to the public funds that are on deposit with them.

Sylvia House, Zoning Officer addressed the Supervisors regarding a septic/well modification request for Wilmer Martin at 1252 State Line Road. Mrs. House stated that their septic system went bad and it is only 83 feet from their well but it should be 100 feet according to our Ordinance. She noted that a geologist came in to look at it as allowed for by DEP and they were okay with the 83 foot distance from the well. They are seeking a modification from Chapter 110-49 of the Code of the Township of Antrim so they can repair the septic system.

A Baer/Myers motion passed 4-0 (Miller was absent) to grant a modification from Chapter 110-49 to allow Wilmer Martin at 1252 State Line Road to repair the septic system that is only 83 feet from the existing well.

A Myers/Baer motion passed 4-0 (Miller was absent) to approve the Zoning Officer to prepare a stormwater amendment for a property at 12522 Randy Drive to allow for a 10 foot wide stormwater easement instead of a 25 foot wide easement.

A Baer/Young motion passed 4-0 (Miller was absent) to approve a 180 day extension request for Frank Thomas, a Commercial Land Development/Subdivision on Molly Pitcher Highway South due to the economy.

Mrs. House addressed the Supervisors regarding a request that was received from South Dakota East to withdraw their plan because they feel the Repair & Improvement Charge is too high.

A Baer/Myers motion passed 4-0 (Miller was absent) to accept the plan withdrawal from South Dakota East, a Commercial Land Development on Buchanan Trail East.

Item C on the agenda for Olde Sycamore Estates was tabled at this time because we still have not received approval of the SFPM from DEP.

Mrs. House addressed the Supervisors regarding a Columbia Gas Easement agreement that is being requested across the Township property along Route 11 that needs to be re-established because the original easement was not defined and the pipe needs to be replaced. Supervisor Young thinks we need to come up with a fair value for the property based on what we paid for the original Right-of-Way. Vice Chairman Byers stated there were future plans and concept drawings for a future separate police building and Authority building that he thinks we need to look at and take into consideration. The Supervisors would like to table this item at this time so they can obtain more information and find out how deep the line is.

Solicitor John Lisko addressed the Supervisors regarding a tax assessment appeal that he received for David Cleaver for a property at 861 Buchanan Trail East to change the assessed value from \$70,440.00 to \$65,000.00. Mr. Lisko said that we typically let the County and School District handle these because they collect the most taxes. Also, even though the Township does not currently have any property taxes we still have a say because we could reinstate property taxes at any time. Mr. Lisko said we still have to sign off on the tax appeal for this reason.

A Myers/Baer motion passed 4-0 (Miller was absent) to authorize Solicitor John Lisko to sign the tax assessment appeal filed by David Cleaver for a property at 861 Buchanan Trail East to change the assessed value from \$70,440.00 to \$65,000.00.

Brad Graham, Township Administrator addressed the Supervisors regarding the bids that were received to the Concession Stand at the Antrim Township Community Park. Mr. Graham noted that we received one general construction bid from GRC General Contractor, Inc. and he is recommending that we accept the bid for the general construction in the amount of \$92,413.00 and the bid for the add alternate GC1 for face block in the amount of \$8,013.00 for a total general construction amount of \$100,426.00. Mr. Graham also noted that we received three plumbing bids but the lowest bidder failed to include the required paperwork so he is recommending that we accept the next lowest bidder who was Rodney B. Smith Plumbing for a total plumbing amount of \$32,000.00. Mr. Graham also noted that we received two bids for the electrical construction but both bidders did not include the required paperwork so he is recommending that we reject the electrical bids and re-bid the electrical construction.

Chairman Sam Miller arrived at this time – 7:56 p.m.

There was a brief discussion at this time of whether we could accept one of the electrical bids since both contractors did not submit the same required paperwork in their bid packet. Solicitor John Lisko advised against this because if we accept one of the bids, then the other contractor could sue us stating that the proper bid procedures were not followed. Mr. Lisko recommends rejecting both bids and re-bidding the electrical construction.

A Baer/Young motion passed 3-2-0 (Byers & Miller opposed) to award the general construction bid to GRC General Contractor for \$92,413.00 and the bid for the add alternate GC1 for face block in the amount of \$8,013.00; accept the plumbing bid from Rodney B. Smith for \$32,000.00 and reject the electrical bids due to the bids being incomplete and re-advertise the electrical construction for the Concession Stand at the Antrim Township Community Park.

The Supervisor also discussed other options for bidding the electrical construction in case the general and plumbing contractors are too far on the project to wait for the electrical work to be done. They discussed having the electrical surface mounted or in the wall and have these as add alternates for the electrical work.

Mr. Graham addressed the Supervisors regarding a change order in the amount of \$6,615.41 for the basketball/tennis courts at the Antrim Township Community Park. Mr. Graham noted that the change order is for vinyl coated fencing that was not included in the original bid specifications. Supervisor

Baer stated that he is not happy that we have to pay for this since it was a mistake by the engineer.

A Baer/Myers motion passed with unanimous vote to accept the change order in the amount of \$6,615.41 to add vinyl coated fencing to the basketball/tennis courts at the Antrim Township Community Park.

Mr. Graham also addressed the Supervisors regarding a list of recommendations that we received from the Park Committee that he would like them to review and address at a future meeting. The only item he would like to address is the Martin's Mill Bridge Park Use Policy that the Township requires anyone who reserves the MMB Park pavilion to sign. Mr. Graham thinks we should eliminate this form since we keep the Martin's Mill Bridge park open all summer and as a waterway of the Commonwealth we cannot prevent people from going in the creek if they wish to. Mary Klein, Township Secretary addressed Mr. Graham and the Supervisors and stated that she thought our insurance company originally required us to have users of the pavilion at MMBP sign the use policy for liability reasons. Ms. Klein stated that we should at least check with our insurance company before we decide to eliminate this form. Supervisor Baer said he agrees that we should check this out with our insurance company before making a decision. The Supervisors were all in agreement and instructed Mr. Graham to check with our insurance company to see if this form is still required.

Mr. Graham also addressed the Supervisors regarding a letter he received from the Greencastle-Antrim Chamber of Commerce regarding the sale of the water system. He asked the Supervisors to review the letter and let him know if they would like him to respond to the letter.

Mr. Graham announced the name of the new Public Works Director that the Township hired at the last meeting, whose name was being withheld until notification to his current employer. Mr. Graham stated that Carl Rundquist will be starting as the new Public Works Director for Antrim Township on July 18th.

Mr. Graham also addressed the Supervisors regarding a request we received from the Rescue Hose Fire Company for the Township to release the 2011 contribution that was budgeted for this year. Mr. Graham confirmed with Township Secretary Mary Klein what the actual amount was that was budgeted for 2011. Ms. Klein responded that the amount that was budgeted for 2011 was \$75,000.00.

A Byers/Myers motion passed with unanimous vote to release the 2011 contribution to the Rescue Hose Fire Company in the amount of \$75,000.00.

Supervisor Curtis Myers addressed the other Supervisors and asked if our current Mandatory Water Ordinance should be amended to be more in line with the State ordinance. Solicitor John Lisko responded that the State ordinance takes precedence over our ordinance anyway.

A Baer/Young motion passed 3-0 (Myers left the room & Miller left the meeting) to adjourn into Executive Session at 8:14 p.m.

A Baer/Myers motion passed 4-0 (Miller was absent) to adjourn the Executive Session and resume the regular meeting at 8:39 p.m.

Solicitor John Lisko announced that we discussed the Right-to-Know appeal filed by Pat Fridgen, the previous employee's lawsuit and the Knights Inn litigation in the Executive Session.

A Baer/Myers motion passed 4-0 (Miller was absent) to adjourn the regular meeting at 8:40 p.m.

Respectfully Submitted,

Mary A. Klein

Secretary