

September 27, 2011 - Antrim Township Board of Supervisors

MINUTES OF THE ANTRIM TOWNSHIP SUPERVISORS

REGULAR MEETING

September 27, 2011 7:00 p.m.

The Antrim Township Board of Supervisors held a regular meeting on Tuesday, September 27, 2011 in the Antrim Township Municipal Building, 10655 Antrim Church Road, with the following present: Vice Chairman James Byers, Supervisors Rick Baer, Curtis Myers and Fred Young III. Others attending the meeting included, Brad Graham, Township Administrator, Solicitor John Lisko, and Sylvia House, Zoning Officer. Chairman Sam Miller and Carl Rundquist, Public Works Director were absent from the meeting.

Visitors: See the attached list.

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.

Bill Walker addressed the Supervisors and stated that he owns a property on Buchanan Trail West and he thinks the area is zoned as commercial. He noted the property is on the other side of Talhelm's Gas and he wants to know if he can rent out the house that is located on the property. Sylvia House, Zoning Officer responded that it is zoned as Highway Commercial and it must continue as a commercial use so he cannot rent out the house but she asked him to contact her during normal business hours and she can discuss it with him in more detail. Mr. Walker thanked her for the information and said he will call her to discuss it further.

Supervisor Young arrived at this time – 7:06 p.m.

A Baer/Young motion passed 4-0 (Miller was absent) to approve as written the regular meeting minutes from September 13, 2011.

A Baer/Young motion passed 4-0 (Miller was absent) to approve the bills on the Treasurer's reports dated September 27, 2011.

Item A under Amendments/Agreements for 315 Hykes Road East was tabled at this time and will be addressed later once Solicitor John Lisko arrives.

A Baer/Young motion passed 4-0 (Miller was absent) to authorize the Vice Chairman to sign a Standard Stormwater Maintenance and Monitoring Agreement for Vernon and Jean George.

A Myers/Young motion passed 3-1-0 (Miller was absent and Baer abstained) to approve a final plan for Exit 3 Properties, a Commercial Land Development on Executive Boulevard as we received their bonding this afternoon and approval from the ATMA last night.

A Baer/Young motion passed 4-0 (Miller was absent) to approve a final plan for Paulmark lots 30 & 31, a residential lot consolidation on Jasper Drive.

A Baer/Byers motion passed 4-0 (Miller was absent) to authorize the Vice Chairman to sign a Standard Stormwater Maintenance and Monitoring Agreement for Exit 3 Properties.

Item C on the agenda under Plans for a final plan approval for Vernon and Jean George was tabled as we have not yet received approval from DEP.

Sylvia House, Zoning Officer addressed the Supervisors regarding a request from Phil Oberholzer regarding his salvage operation at 1857 Clay Hill Road. Mr. Oberholzer will continue to own the property and hold the license for the salvage yard but he would like to lease the operation to someone else. Mrs. House would like to add this person to the license as an additional licensee.

A Baer/Myers motion passed 4-0 (Miller was absent) to allow Phil Oberholzer at 1857 Clay Hill Road to add an additional licensee to his salvage operation license so he can lease the operation to someone else.

Mrs. House also addressed the Supervisors regarding 315 Hykes Road East regarding the residents request to be relieved from having to install the required sidewalk. Vice Chairman Byers stated he would like to see a sidewalk there. Mrs. House also noted that she cannot see where the sidewalk is actually shown on his plan but there is a note on the plans for the whole development indicating that sidewalks would be required. The resident addressed the Supervisors and stated that he thinks if he installs the sidewalk where it should be that it will be a liability issue since there is a deep swale and he's afraid someone will fall into it. Solicitor John Lisko stated there are two ways that he could be exempted from installing the sidewalks. The first way would be to grant him a waiver from the Ordinance and the second way would be to do a plan amendment but this would have to be signed by all the residents in the development. The resident stated that the HOA has asked him to extend the existing sidewalk out to the road.

A Baer/Myers motion passed 3-1-0 (Miller was absent & Byers opposed) to grant the waiver from the Ordinance only from installing the required sidewalk for 315 Hykes Road East because it would be more harmful to the welfare and safety of the public to install the required sidewalk.

A Baer/Myers motion passed 4-0 (Miller was absent) to approve an exemption from Stormwater for Vernon and Jean George for a single family home lot along Antrim Church Road.

Brad Graham, Township Administrator addressed the Supervisors regarding some park project issues. David H. Martin has submitted a change order request in the amount of \$5,359.95 for an asphalt escalation on the paving of the athletic courts. Mr. Graham stated there was no provision for an asphalt escalation in the bid specifications so staff's recommendation is to deny the request.

A Baer/Myers motion passed 4-0 (Miller was absent) to deny the change order request from David H. Martin in the amount of \$5,359.95 for an asphalt escalation on the paving of the athletic courts.

Mr. Graham also addressed the Supervisors regarding the concrete apron that was originally proposed around the Concession Stand/Comfort Facility at the Antrim Township Community Park. Mr. Graham stated that staff is interested in putting asphalt down instead of concrete because it will be faster to install and be less expensive. Supervisor Baer added that he would like us to check into getting colored asphalt. Mr. Graham stated that we could get the price to install the asphalt and then purchase the asphalt through CoStars.

A Myers/Young motion passed 4-0 (Miller was absent) to do blacktop instead of concrete at the Concession Stand/Comfort Facility at the ATCP and color the asphalt as long as it's not more than 10% of the base cost of the asphalt.

Mr. Graham also addressed the Supervisors regarding the floor coating for the Concession Stand/Comfort Facility at the ATCP. Mr. Graham stated this was part of the Concession Stand bid but no bids were received for the epoxy floor coating the last time we received bids. He noted we have received quotes for installing an epoxy floor coating and staff recommends accepting the lowest quote of \$5,250.00 from Star Surfacing of Lancaster, PA.

A Baer/Young motion passed 4-0 (Miller was absent) to accept the lowest quote of \$5,250.00 from Star

Surfacing of Lancaster, PA for an epoxy floor coating at the Concession Stand/Comfort Facility at the Antrim Township Community Park.

Mr. Graham also addressed the Supervisors to get authorization for Sylvia House, Zoning Officer to attend an Economic Development Seminar in Lancaster, PA from December 5th thru the 8th at a cost of \$560.00 plus \$77.95 per night for lodging for four nights.

A Baer/Myers motion passed with unanimous vote to authorize Sylvia House, Zoning Officer to attend an Economic Development Seminar in Lancaster, PA from December 5th thru the 8th at a cost of \$560.00 plus \$77.95 per night for lodging for four nights.

Mr. Graham also addressed the Supervisors regarding the decision made at the last meeting about the Patton Bridge Road issue with the Yaukey's. Mr. Graham stated that the Meyers, who own the farm beyond the Yaukey's property, contacted him with displeasure about the decision to close that portion of Patton Bridge Road. Mr. Yaukey addressed the Supervisors and stated they met with the Meyers and their attorney and offered a deeded easement to the Meyers and they did not accept the offer. Mr. Steiger, the attorney representing the Meyers, addressed the Supervisors and stated that there is value in their property if it adjoins to a public road and they feel if the road becomes private then it will decrease the value of their property. Also, Mr. Steiger mentioned that recorded easements always seem to get lost or disregarded and he winds up in court all the time trying to show that an easement was recorded. Mr. Steiger also stated that his client was not notified about this decision and read about it in the newspaper. Solicitor Lisko addressed the parties and stated that we would send notices to the property owners affected by the closure of the road but we are not to that point in the process yet and there would be a public hearing before the road would be closed. Lisko also noted that the Meyers could seek damages for only having access to their land with a private access instead of a public Right-of-Way. Lisko also stated that once the Ordinance is passed it would be sent to the Clerk of Courts and anyone can appeal it within 30 days. Sylvia House, Zoning Officer stated that not having access will prohibit them from developing the property and they could only put one single family home on the property with a private access. It was decided that we would wait two weeks until the next meeting to allow the parties to discuss this further.

A Young/Myers motion passed 4-0 (Miller was absent) for the Township staff nor the Solicitor to not move forward with the Patton Bridge Road closure until further direction from the Board of Supervisors.

A Baer/Myers motion passed 4-0 (Miller was absent) to approve the hiring of Harold Newcomer as part-time custodian at a rate of \$9.00/hour and part-time road laborer at a rate of \$10.00/hour.

Mr. Graham also addressed the Supervisors regarding starting a committee to represent the Township at meetings with developers and prospective businesses. He would like two Supervisors to be named to the committee to be available to meet with developers and prospective businesses to facilitate the development process and then the two Supervisors would report back to the rest of the Board.

A Myers/Baer motion passed 4-0 (Miller was absent) to appoint Fred Young III and Rick Baer to a committee as the primary members but the rest of the Board of Supervisors could be alternates to meet with developers and prospective businesses to facilitate the development process.

Mr. Graham also addressed the Supervisors regarding the ATMA meeting last night and the ATMA would like to invite the Board of Supervisors to meet with them at their next regular meeting on 10/31/11 to discuss the Lease Agreement and the organizational structure of the utilities departments. It was noted that this joint meeting will need to be advertised.

A Myers/Baer motion passed 4-0 (Miller was absent) to approve a proclamation to make September

National Preparedness Month in Antrim Township per the request from the Franklin County Community Emergency Response Team.

A Young/Baer motion passed 4-0 (Miller was absent) to approve the list of per capita tax exonerations for the 2007, 2008, 2009 & 2010 tax years from G.H. Harris & Associates that total \$198.00.

A Baer/Young motion passed 4-0 (Miller was absent) to approve the sewer waiver request for 10861 Grindstone Hill Road with the following written conditions recommended by the Antrim Township Municipal Authority: the owner needs to submit a Waiver Request Form, a disconnection fee of \$50.00 will be paid, the owner shall have the sewer line capped and inspected by Township staff, all previous balances must be paid and once the property is reoccupied the owner must apply for a reconnection permit at a cost of \$50.00.

Mary Klein, Township Secretary addressed the Supervisors regarding the revised Health Plan Documents for the Health Care Reform changes that were distributed at the last meeting. Solicitor Lisko mentioned that he was concerned with some of the wording in the agreements that referred to retirees and whether or not the Township would be responsible to pay the premium for the retiree. Secretary Klein said she had called Benecon prior to the meeting to get clarification on the section regarding retirees but she did not ask them about how the premium would be paid since we already have one retiree on the senior plan that pays the monthly premium themselves.

A Myers/Baer motion passed 4-0 (Miller was absent) to authorize the Chairman to sign the revised Health Plan Documents with the understanding that the Township would not pay for the monthly premium for retirees.

The previous motion was amended to authorize the Vice Chairman to sign the revised Health Plan Documents since the Chairman was absent from tonight's meeting.

A Myers/Baer motion passed 4-0 (Miller was absent) to allow Township employees to use one of the park pavilions one time per year with no charge.

Secretary Mary Klein also addressed the Supervisors regarding the Unemployment Compensation employer contribution rate for 2012. Ms. Klein noted that the contribution rate for 2012 will remain at 9.5% but the surcharge that we paid this year will not be required next year. She noted that this was supposed to be a one-time surcharge and PSATS held to their word with no surcharge for next year.

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

A Baer/Young motion passed 4-0 (Miller was absent) to adjourn into Executive Session at 8:07 p.m.

A Baer/Young motion passed 4-0 (Miller was absent) to adjourn the Executive Session and resume the regular meeting at 8:15 p.m.

Solicitor Lisko announced that during the Executive Session we discussed the Right-to-Know appeal for Fayetteville Contractors.

A Baer/Young motion passed 4-0 (Miller was absent) to authorize releasing the bid information that was requested in the Right-to-Know request and appeal from Fayetteville Contractors.

A Baer/Young motion passed 4-0 (Miller was absent) to adjourn the regular meeting at 8:16 p.m.

Respectfully Submitted,

Mary A. Klein

Secretary