

# **October 25, 2011 - Antrim Township Board of Supervisors**

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

### **REGULAR MEETING**

**October 25, 2011 7:00 p.m.**

The Antrim Township Board of Supervisors held a regular meeting on Tuesday, October 25, 2011 in the Antrim Township Municipal Building, 10655 Antrim Church Road, with the following present:, Vice Chairman James Byers, Supervisors, Curtis Myers and Fred Young III. Others attending the meeting included Brad Graham, Township Administrator, Sylvia House, Zoning Officer, Carl Rundquist, Public Works Director and Solicitor John Lisko. Chairman Sam Miller and Supervisor Rick Baer were absent from the meeting.

Visitors: Artery Homes, ATAPCO and see the attached list for a list of other visitors.

Vice Chairman Byers called the meeting to order at 7:02 p.m.

The meeting opened with a word of prayer followed by the Pledge of Allegiance.

Vice Chairman Byers called for Public Comment.

Paul Schemel addressed the Supervisors regarding Patton Bridge Road. Mr. Schemel proposed a resolution that he thinks will satisfy all the parties. He thinks the Township should temporarily close the road for unsafe conditions due to the recent flooding. The Yaukey's would still place a gate, provide a turn around and give a key to the Township. They would also provide public access over their property for people to use the creek but they would need to apply for a permit to do so through the Township. He noted that this way the road would remain a public road and the Meyers would also have a key to the gate. Mr. Schemel noted that if the Supervisors decide to go with this proposal, he would propose an agreement for the access easement over the Yaukey's property to provide that if the Township would reopen the road within five years then they would reimburse the Yaukey's for their expenses. Mr. Steiger, the attorney for the Meyers, added that he did not know about this proposal and his clients are not okay with it. Diane Powell of 5390 Patton Bridge Road thinks the gate being there is a good idea and when Mr. Meyers didn't want people on his property he did the same thing to eliminate a lot of the problems.

A Myers/Young motion passed 3-0 (Miller & Baer were absent) to approve as written the regular meeting minutes from October 11, 2011.

A Myers/Young motion passed 3-0 (Miller & Baer were absent) to approve the bills on the Treasurer's reports dated October 25, 2011.

Bill Wainger of Artery Homes, addressed the Supervisors along with Paul Schemel regarding the Rolling Hills Planned Residential Development (PRD) located along Buchanan Trail West for relief from bonding even though the development is not complete. They will do the development at some point but they cannot do it now because of the economy. The roads that are in light gray on the displayed exhibit all have the base coat installed. The developer would complete these roads and dedicate them to the Township along with the sewer lines. Solicitor John Lisko stated that the PRD ordinance and the MPC required bonding for all of the improvements until they are completed. Mr. Schemel argued that the Supervisors could grant a waiver under section 5-12 of the MPC. Vice Chairman Byers asked for a PRD don't we need a hearing to make any changes? Solicitor Lisko responded that everything on this plan has been finally approved and the developer has the right to sell

these lots and if the developer would go belly up then the Township would have to construct the streets if we relieve them from providing bonding. Mr. Lisko said he would be more comfortable with amending the PRD to eliminate the lots they aren't going to develop. Supervisor Young asked Mr. Wainger if the Home Owner's Association is in place. Mr. Wainger said Phase 1 and 2 is in place, however Phase 3, 4, and 5 is not, but it is managed by a professional management company. Solicitor Lisko added that Phase 3 of the development only has about 10 homes built but technically all of those lots are in the HOA and the developer has to pay the HOA fees. Supervisor Young asked what is to insure that we won't be on the hook if we relieve you from the bonding. Vice Chairman Byers said he thinks it needs to go to a hearing. Mr. Schemel said they wouldn't start any subsequent construction or sell the lots before bonding is in place and this could be recorded at the courthouse. Supervisor Young responded that title search companies miss things all the time. Solicitor Lisko thinks that without properly amending the PRD we are asking for trouble. Mr. Schemel noted that the developer would be willing to complete the top coats on the roads that have a base coat on them and install the walking trail. Mr. Lisko stated that to amend the PRD a notice would be sent to all lot owners about the hearing. Mr. Schemel added that if Artery Homes would provide the required bonding, it would prevent them from moving forward with other projects and the stormwater and erosion controls have all been done for all of the Phases of the development. Vice Chairman Byers said he is not ready to release them from bonding and he thinks this would be setting precedence for other developers. Mr. Wainger asked if all the lot owners would have to agree to the amendment. Mr. Lisko responded that yes it would have to be unanimous and all the lot owners would have to sign off on the amendment. Mr. Wainger also asked if there is a time frame for him to finish developing the lots. Sylvia House, Zoning Officer responded that there is no time limit with a PRD but there is supposed to be a staging schedule that is reviewed each year. There was no decision made on the matter at this time.

Pat Coggins from ATAPCO addressed the Supervisors at this time regarding the Highway Occupancy Permit (HOP) application for Commerce Drive. Mr. Coggins stated that for some reason Penn-Dot changed the permit number and Solicitor John Lisko prepared an amendment to the Agreement to include the correct number. Mr. Lisko stated that we need to authorize the Vice Chairman to sign the Indemnification Agreement Amendment.

A Young/Myers motion passed 3-0 (Miller & Baer were absent) to authorize the Vice Chairman to sign the Indemnification Agreement Amendment to change the permit number for the Highway Occupancy Permit for Commerce Drive.

Mr. Coggins also addressed the Supervisors regarding the Armada Drive and Antrim Commons Drive road dedication issue. He stated they have drafted an agreement with what was agreed to at a previous meeting. Mr. Coggins stated they have identified the land using these roads and they would keep a maintenance bond on the roads until 75% is developed but will still be responsible for construction damage until 100% is complete. Solicitor Lisko reminded the Supervisors that 75% is of all the land that was approved in the land development plan and that the Norfolk Southern Lot and Lot 9 will probably satisfy the 75% requirement. Mr. Lisko added that normally when we accept a road we get a maintenance bond for 18 months so this could go either way for us, the 75% might happen in less than 18 months or it could take more than 18 months. Mr. Coggins clarified that the 75% build out would actually include the Norfolk Southern lot, lot 9 and lot 4 to be completed. Mr. Lisko added that if the 75% gets built out in one year then we lose out on six months of the maintenance bond but it might take four years and then we would be covered for that entire time. It was noted that Norfolk Southern will be done by the end of 2012.

A Myers/Young motion passed 3-0 (Miller & Baer were absent) to authorize the Vice Chairman to sign the Maintenance Bond Agreement with ATAPCO after ATAPCO signs it and to accept dedication of Armada Drive and a portion of Antrim Commons Drive upon receipt of the maintenance bonding.

Vice Chairman Byers asked if Norfolk Southern would be using Milnor Road for construction traffic. Mr. Coggins responded that yes that is the road they will be using during construction.

Sylvia House, Zoning Officer told Mr. Coggins that the ATMA also wants some type of agreement with ATAPCO for the dedication of the sewer lines. Mr. Coggins said that is the first he is hearing this but he will be in touch with her to discuss this further.

A Young/Byers motion passed 3-0 (Miller & Baer were absent) to approve a 180-day extension request for Antrim Meadows Phase IIA, a 43 lot residential subdivision on Williamsport Pike.

A Young/Byers motion passed 3-0 (Miller & Baer were absent) to approve a 180-day extension request for WCN Properties, a Commercial Land Development on Hykes Road.

A Myers/Young motion passed 3-0 (Miller & Baer were absent) to give direction to Sylvia House, Zoning Officer to support the variance request at the Zoning Hearing for 2276 Buchanan Trail West to allow the house to be used as a residential use instead of a business.

A Myers/Young motion passed 3-0 (Miller & Baer were absent) to give direction to Sylvia House, Zoning Officer to support the variance request at the Zoning Hearing for 5663 Tranquil Way to allow the single family home to encroach into the rear setback by 1.64'.

A Young/Myers motion passed 3-0 (Miller & Baer were absent) to approve releasing certified check #1302364240 in the amount of \$3,710.34 for Antrim Commons Business Park Phase I as all of the improvements have been made and approved by our engineer.

A Myers/Young motion passed 3-0 (Miller & Baer were absent) to approve a donation to the G-A Chamber of Commerce in the amount of \$1,300.00 towards the cost of the Christmas tree for Heritage Christmas in downtown Greencastle.

A Myers/Young motion passed 3-0 (Miller & Baer were absent) to approve going out for bid for line painting to be done at the south end of the Township.

Brad Graham, Township Administrator addressed the Supervisors regarding some change orders for the Concession Stand at the ATCP. Mr. Graham provided the Supervisors with a list of items that he is requesting to be deleted and added to the price of the Concession Stand. He would like to table two of the items relating to wood trim and painting a closet until he is able to gather more information on the items.

A Young/Myers motion passed 3-0 (Miller & Baer were absent) to approve the list of change orders for the Concession Stand at the ATCP, with the exception of the wood trim and painting a closet, that total \$1,835.00.

Mr. Graham also addressed the Supervisors regarding a proposal he received from Dewberry for the observation of the construction of the bridge overpass at Hykes Road. The proposal states that the inspections would be performed on a time and material basis at the rates approved at the beginning of the year.

A Myers/Young motion passed 3-0 (Miller & Baer were absent) to approve the proposal from Dewberry to perform the inspections for the construction of the bridge overpass at Hykes Road on a time and material basis for the rates approved at the beginning of the year.

Mr. Graham also addressed the Supervisors regarding another proposal he received from Dewberry for the annual inspection of the sewer and collection systems. This would be done on a time and material basis with the cost not to exceed \$12,750.00. Mr. Graham mentioned that the cost could be lower because some of the lift stations are new and probably won't require an inspection. Mr. Graham thinks that if Dewberry is going to be our engineer for the sewer side then we need them to learn our system.

It was discussed that Carl Rundquist, Public Works Director could probably do the inspections in house in the future but right now he is still learning the system.

A Myers/Young motion passed 3-0 (Miller & Baer were absent) to accept the proposal from Dewberry for the annual inspection of the sewer and collection systems to be done on a time and material basis with the cost not to exceed \$12,750.00.

Mr. Graham also addressed the Supervisors regarding having GPS time controller units installed on the three traffic lights on Rte. 16 that will synchronize the time clocks in each unit to satellite time in case there is a power outage. He noted that he planned to budget for these for next year but one of the Supervisors asked if we could do it this year. He stated the cost for the units is \$2,775.00.

A Myers/Young motion passed 3-0 (Miller & Baer were absent) to approve the installation of GPS time controller units on the three traffic lights on Rte. 16 for a cost of \$2,775.00.

Mr. Graham addressed the Supervisors regarding the meeting he had with Penn-Dot and State representatives regarding the traffic issues along Rte. 16. He will be sending an e-mail to the Supervisors to update them with the recommendations that were discussed during the meeting.

Mr. Graham also addressed the Supervisors regarding approval to sign an agreement with PACMA to use their drive to access our property on Rt. 11 to store top soil that we are getting from the G-A School District from the athletic fields project. Mr. Graham mentioned that he has spoken with the Franklin County Conservation District about how to store the top soil and they are okay with what we are doing. The agreement with PACMA is to indemnify them from any damages that might be caused by our trucks traveling on their driveway to access our property.

A Myers/Young motion passed 3-0 (Miller & Baer were absent) to authorize Brad Graham, Township Administrator to sign the agreement with PACMA to use their drive to access our property on Rt. 11 to store top soil that we are getting from the G-A School District.

Mr. Graham also asked the Supervisors to review the Park Committee recommendations they will be receiving via e-mail from Lynda Beckwith, Park Liaison.

Mary Klein, Township Secretary addressed the Supervisors regarding the interest rate on our money market accounts at Susquehanna Bank. Ms. Klein explained that when we switched our accounts to Susquehanna Bank, they gave us a rate of 1.40% on our money market accounts that was good for one year. They actually gave us longer than the year

to do another review of the banking services but now they will be decreasing our rate on the money market to 1.05% that will be effective November 1<sup>st</sup>. She explained that the rate they are giving us is higher than the market rate which is currently .75%. She stated that this rate will be good for one year and then they will review it again.

Brad Graham, Township Administrator also addressed the Supervisors regarding some upcoming calendar reminders:

1. Franklin County Township Officials meeting on Thursday, October 27<sup>th</sup>
2. Franklin County Drug Task Force breakfast on Friday, October 28<sup>th</sup>
3. Antrim Township Municipal Authority joint meeting on Monday, October 31<sup>st</sup>

Vice Chairman Byers called for public comment.

Paul Schemel addressed the Supervisors and said the Franklin County Drug Task Force breakfast is worthwhile and encouraged them to attend.

A Myers/Young motion passed 3-0 (Miller & Baer were absent) to adjourn the regular meeting at 8:15 p.m.

Respectfully Submitted,

Mary A. Klein

Secretary