

June 11, 2013 - June 11, 2013 Board of Supervisors Meeting

Minutes of the Antrim Township Supervisors

Regular Meeting

June 11, 2013 7:00 PM

The Antrim Township Board of Supervisors met Tuesday, June 11, 2013 in the Antrim Township Municipal Building, located at 10655 Antrim Church Road, with the following present: Fred Young (Chairman), Pat Heraty (Vice Chairman), Rick Baer, John Alleman, Sylvia House (Zoning/Code Enforcement Officer), Brad Graham (Administrator), John Lisko (Solicitor), Mike Condo (Road Master/Park Director), and Jennifer Becknell (Secretary); *James Byers-arriving late.*

Young called the meeting to order at 7:03 p.m. and reminded the audience that our meetings are audio recorded and posted to our website.

Young opened the meeting with prayer, which was then followed with the Pledge of Allegiance to the Flag.

Young recognized the members of the Antrim Township Planning Commission that were in attendance thus far; Mr. Smith and Mr. Musselman. Young stated that there is a 7:30 scheduled Hearing and more members will be arriving.

Young opened the floor to Public Comment. There were none.

An Alleman/Baer motion passed 3-0-1 (*Heraty abstained as he was absent from prior meeting*) to approve the minutes from the May 28, 2013 Work Session Meeting and Regular Meeting.

A Heraty/Alleman motion passed 4-0 to approve the bills as they appear on the Treasurer's Report dated June 11, 2013.

A Baer/Heraty motion passed 4-0 to approve Resolution Number 255 to increase the Amusement License fee (from \$10.00 to \$50.00) and to institute a Well Permit fee (\$35.00 for Residential/Agricultural and \$50.00 for Commercial). This Resolution enacts the fees as approved at the May 28, 2013 Regular Meeting.

A Baer/Heraty motion passed 4-0 to approve the bond reduction for Hub One to the amount of \$1,660,471.12. This bond was not up for renewal. Hub One requested the reduction as work has been completed and our engineer (Dewberry) agrees with this reduced bond amount.

A Baer/Heraty motion passed 4-0 giving approval for Mike Condo to start the actions necessary to create an Ordinance to enact a 10 ton weight limit restriction for anywhere on Rabbit Road North in Antrim Township, excluding EMS, school buses, utility vehicles and agriculture vehicles. This decision was preceded by a report given by Condo on the Rabbit Road North traffic study (done by Triad) and the recommendations of our engineer to set the weight limit at 10 tons. Lisko stated once the Ordinance is approved setting the weight limit, a permit will be required for the vehicles not excluded that are over the limit. At this point our engineer will gather information such as type of vehicle using Rabbit Road North and determine the amount for the financial security (bond, Letter of Credit, certified check) in case of road damage and repairs are needed.

Condo gave a report on the findings from the traffic study of the intersection of Gearhart Road and Route 16, which included photos, drawings, PennDOT crash study of site, speed limit assessment of site and sight distance review of said location.

James Byers arrived at 7:23.

Condo concluded his report by stating that 80% of our rural intersections have the same problems as Gearhart Road and Route 16. Condo stated that there were no immediate safety issue to report and gave the following two recommendations for the Supervisors to consider. First, placing "No Parking Signs" to prevent parking which would further impede turning. However, this does not appear to be an area where vehicles park so signs are not going to solve the issue. Secondly, the removal of a portion of the embankment and sidewalk (widening) of Gearhart. This option is difficult due to the location of existing structures and current right-of-way width. The sight distance currently meets PennDOT standards. Baer asked that Condo

write a letter to Nancy Crouse (13226 Gearhart Road) explaining his findings and his recommendations to make no further improvements to this intersection. No further action taken.

A Heraty/Baer motion passed 5-0 to adjourn the Regular Session, into the Planning Commission Hearing for the Conditional Use for Hub Scrap at 8642 Molly Pitcher Hwy., at 7:30 PM.

[Planning Commission members present: Richard Walck, Delbert Myers, Joel Wenger, Robert Smith, Lester Musselman (Chairperson), and Deborah Hoff (Solicitor)]

Young deferred the meeting to Musselman to call special meeting to order for the Planning Commission.

Musselman called the special meeting to order for the Planning Commission, stating that the Commission may render a decision tonight or wait until their next meeting on July 1, 2013.

Musselman recessed the special meeting.

Musselman called to order for the Planning Commission the June 11, 2013 Public Hearing for the purpose of hearing testimony from Hub Scrap for the location of a metal scrap yard located at 8642 Molly Pitcher Highway.

Young called to order for the Board of Supervisors the June 11, 2013 Public Hearing for the purpose of hearing testimony from Hub Scrap for the location of a metal scrap yard located at 8642 Molly Pitcher Highway.

Young invited all those present that wished to testify or offer comments concerning the matter before the Commission and Board of Supervisors to please stand and raise their right hand to be sworn in.

After all those standing were sworn in Young instructed that all testimony should be presented directly to the Planning Commission and the Board, and that once recognized, clearly state your full name and address for the record.

Young first called on the Applicant Hub Scrap for testimony.

Greg Dahbura, President of Hub Scrap located presently at 449 North Prospect Street, Hagerstown, MD, testified as to the origin, nature, and intentions of Hub Scrap.

Dahbura began buying and selling (brokering) scrap metal while in college. He created Hub Scrap in 2008 and has grown the business in five years to 8 million in sales, 20 employees and looking to hire 10 more employees. Dahbura said that he found a niche in servicing industrial accounts. Dahbura stated that Hub Scrap's primary focus is picking up scrap metal from industrial processes from users such as Grove and Johnson Control and from demolishing commercial/industrial buildings for free or minimal fee to salvage the metals, leaving the concrete on site. Though their primary target is on industrial accounts they will have hours open to the public. Freon free appliances will be accepted. Junk cars may be turned away, but in the event he receives some as a courtesy to existing clients, they will be dismantled on the concrete pad and shipped out. He anticipates this may be approximately 20 cars a month at most. Dahbura explained that his operation is kept clean and tidy by refining the metals for

maximum profit and separating them into bins using jersey barriers so scrap is not piled up all over the place. He wants his metal to look attractive so he can sell it for a higher profit. Dahbura referred to his exhibit of the site that showed the improvements he will make. Screening will be planted along Route 11 at the buffer line, a perimeter fence installed, a scale will be added along with a weigh station/office building. The existing structures have been vandalized and will eventually be demolished. A concrete pad will be added to the site with an oil/grease separator. All structures will be placed over existing impervious area. Hub Scrap is running out of space in Hagerstown, MD and is looking to eventually utilize the rail at 8642 Molly Pitcher Highway in Greencastle, PA and move the entire operation from Hagerstown. He needs to maintain the rail access in Hagerstown until he can afford rail access here.

Supervisor Heraty asked what fail-safes does he have in place to identify stolen items. Dahbura responded that he will uphold this facility to MD standards because they are more stringent than PA's. He requires photo ID to be presented and they keep a record of who brought what in. His employees are also trained to identify potential stolen items such as a load of rail ties would lead to the question as to where they came from. They will flag materials and turn them away. Then if it comes in another load from a scrap yard or vender, then he can identify it and turn it away again.

Supervisor Baer was concerned about run off like rust from the scrap. Dahbura noted that his inventory does not sit. He turns materials around in 2-3 weeks so nothing sits. He will also comply with all DEP regulations.

Supervisor Byers's biggest concern was noise. Loading the trucks, truck noise, and cutting metal are the noisiest aspects and will be done during day light hours according to Dahbura. The public may come between the hours of 7:00 AM and 5:00 PM. Dahbura anticipates approximately 15 to 20 trucks a day with utilizing rail in the future.

Dahbura was questioned if he sold to China. He reported that 80% of his sales are within the US. If metals are impure (aluminum with some copper) he may sell to Turkey as they will pay a higher rate and like the impurities for in their melt to make rebar for their concrete.

Commissioner Wenger questioned if he stockpiled materials when the market goes down. Dahbura responded that when the market drops he buys at a lower cost and sells the metal for less. Usually metals from the public slow down because the owner will hold it in their own property until the price goes back up.

Heraty asked about other recyclables for this location in the future. Dahbura reported that he will keep an open mind on recycling other materials, but at this time his primary focus is on metals.

Supervisor Byers stated that environmental concerns, hours of operation, noise and proper screening were his biggest concerns.

Solicitor Lisko asked what complaints he has had filed on him on his Hagerstown facility. Dahbura stated that his competitors filed complaints challenging Zoning which was not valid. One resident complained about dust from a dirt road the trucks must use to access the sight. The dust was not generated from the facility itself. Hours of operation became a problem because they needed to move more scrap due to increased business and not enough time in the day to do it.

Young called for final questions/comments from the Planning Commission, Board Members and staff. Upon hearing none, Young then asked for questions from the public.

Dianne Smith of 7498 Angle Road questioned if the Township had any noise complaints in this area. House responded that no noise complaints have been received in that area. We have received complaints on the smell from TARCO.

There was no further testimony.

A Baer/Alleman motion was accepted by Young 5-0 to adjourn the Hearing at 8:36 PM.

Musselman accepted a motion from the Planning Commission to adjourn the Hearing.

Musselman called to reconvene the Special Meeting.

The Planning Commission decided they would render their decision tonight.

On a Smith/Walck motion, 5-0 the Application for Conditional Use for the property located at 8642 Molly Pitcher Highway was recommended for approved for Hub Scrap in accordance with the site plan presented and in accordance with all Federal, State, and Local regulations.

A Baer/Byers motion passed 5-0 to reconvene the Regular Meeting at 8:36 PM.

Young stated that action may be taken at this time or within the next 45 days regarding the Hearing information. Young asked if the Planning Commission is ready to make a recommendation. Hoff responded by stating that the ATPC recommends approving the Application.

Musselman called for the adjournment of the special meeting.

House stated that we should not impose hours of operations for Hub Scrap, as we have not done so for the other businesses in this area.

When Alleman posed the question of cleaning up the site if they should go out of business in the future, it was determined that DEP and the purchase agreement would prevail.

A Heraty/Baer motion passed 5-0 to approve the Application for Conditional Use for the property located at 8642 Molly Pitcher Highway for Hub Scrap with the condition that they comply with all Federal, State and Local regulations.

Byers wanted to go on record as stating that he was in favor of making a condition that Hub Scrap restrict their operating hours to daylight hours.

A Heraty/Baer motion passed 5-0 to approve the modification waiver for Hub Scrap from the Land Development Plan for the property at 8642 Molly Pitcher Highway. House stated that there was a Land Development Plan already filed on this property by the previous owners with tremendous stormwater controls in place to accommodate the planned use for this property.

Graham tabled the discussion of the Accounts Payable check authorization process concerning our credit card statement. After talking with Lisko, it was decided that Becknell will pursue having our statement sent to us electronically to expedite payment schedule to avoid late fees.

Graham informed the Board of Supervisors of the Township Building Renovation project timeline of upcoming events. The dates are as follows: Advertise for bid on June 15 and June 19, have a pre-bid meeting on June 26, bid opening (due date of bids) on July 8 and award the bid at the July 9 Board of Supervisors Regular Meeting. Graham also informed the Supervisors that there were a few modifications made due to recommendations by the Building Inspector.

A Baer/Byers motion passed 5-0 to approve the 2013 Organization Chart. Young requested a copy of our current phone listing for the township staff.

Becknell gave an update on the collection progress for the delinquent Sewer accounts. Becknell stated that back in September of 2012 when we first began seriously looking into our delinquent accounts we had \$163,000 in delinquencies by customers who owed \$500.00 or more. We have moved this figure to \$144,728 for those accounts owing \$500 or more. This figure translates to 83 residential customers who owe \$500 or more and they all have had Municipal Liens filed on them. We now have approximately 46 accounts which have agreed to make regular monthly/weekly payments. At this time, we still have 23 accounts that owe sewer bills for at least \$254.10 - \$381.15 and these accounts will be

processed with liens. We have 16 accounts waiting for a July Sheriff Sale. Out of the 24 Civil Cases filed with the District Judge, 15 remain outstanding, with one choosing to appeal. Young asked the Board to come to the next meeting ready to discuss what they feel should be the next course of action in the collection process on the accounts that have been ruled in our favor by the District Judge on the Civil Cases. Graham also mentioned the use of a collection agency, which provides us with the option to report a delinquent account to a Credit Bureau. The Supervisors do not wish to lose the money owed us by paying a percentage to a collection agency and would rather see these accounts go to Sheriff Sale.

A Heraty/Baer motion passed 5-0 approving Resolution # 254 which states the Township's intent to follow the schedules and procedures for disposition of records as set forth in the Municipal Records Manual approved on December 16, 2008. The resolution lists all the records that will be disposed of.

Alleman announced that he attended the Eagle ceremony for Raeven Cogan and presented him with the Township Proclamation.

Byers announced that Young, Graham and himself attended the Rescue Hose meeting. Byers said the meeting was very informing and positive, and stated that a lot of good things are happening over at the Rescue Hose Company. Byers gave direction for staff to scan the meeting documents into the ATBOS file for all the Supervisors to read. The two Supervisors (Byers/Young) agreed to meet with the Rescue Hose Co. at least twice a year, more if necessary.

Alleman announced that the Supervisors attended the 2013 Spring Meeting of the Franklin County Association of Township Supervisors, Auditors, Assessors and Tax Collectors in Mont Alto, PA on May 22.

Alleman announced that he attended the Franklin County Emergency Services Alliance meeting and reported that the radio upgrade is just about complete. The plan is to bring several municipalities together in a central location for a joint training class during regular work hours. Alleman stated that they estimated that it would cost no more than \$2,000 for our upgrade and asked that Graham write a letter to the County Commissioners Office asking if there are any funds remaining in the account they set aside to help with this radio upgrade.

Young announced that Graham and him-self attended the Norfolk Southern official ribbon cutting ceremony earlier that day, which recognized the opening of the facility here in Greencastle, PA. Young cut the ribbon and was presented with a pair of gold-handled scissors which was embossed with "Franklin County Intermodal Facility / Greencastle, PA / June 11, 2013".

A Byers/Baer motion passed 5-0 to adjourn the Regular Session at 9:03 PM.

Respectfully submitted,

Jennifer Becknell

Board of Supervisors Secretary