

January 22, 2008 - Antrim Township Board of Supervisors

MINUTES OF THE ANTRIM TOWNSHIP SUPERVISORS

REGULAR MEETING

JANUARY 22, 2008 7:00 PM

The Antrim Township Supervisors held their regular meeting on Tuesday, January 22, 2008, in the Antrim Township Municipal Building, 10655 Antrim Church Road, with the following present: Chairman Myers (arrived 8:15 PM), Vice Chairman Fred Young, Samuel Miller, Richard Baer, James Byers, John Lisko, Charles Goetz Jr., Angela Garland, Ben Thomas Jr., Paul Barnett, and Renee Perrin. (Student Representative Kacie Oberholzer did not attend this meeting.)

Vice Chairman Young called the meeting to order at 7:02 PM. The meeting was opened with prayer followed by the Pledge of Allegiance.

Visitors: See attached list

There was no public comment.

Resolution #86: A Byers/Baer motion passed with four votes (Chairman Myers had not yet arrived) to approve as written the minutes of the January 7, 2008, Organizational Meeting, the January 8, 2008, Regular Meeting, and the January 15, 2008, Worksession meeting.

Resolution #87: A Baer/Miller motion passed with four votes (Chairman Myers had not yet arrived) to approve for payment all bills as listed on the Computer Printouts dated January 22, 2008. General Fund - \$39,654.03; Sewer Fund - \$15,368.27

Missy Ball, representative for the Mason Dixon Blaze Softball Organization, requested the Supervisors pass a resolution providing that the organization is a non-profit organization established for the purpose of facilitating youth sports. The softball organization wishes to obtain a Small games of Chance license from the Franklin County Treasurer.

Resolution #88: A Baer/Miller motion passed with four votes (Chairman Myers had not yet arrived at the meeting) to recognize the Mason Dixon Blaze Softball Organization as a non-profit civic and service association for the purpose of facilitating sports for area youth and this recognition being only for the express purpose of this organization obtaining a Small Games of Chance license from the Franklin County Treasurer and may not be used for any other purpose by the Mason Dixon Blaze Softball Organization and shall be effective for the year 2008 only. Antrim Township shall not be held liable or responsible as a result of recognizing this organization as a civic and service association for the purposes of obtaining a Small Games of Chance license and this resolution shall not be used as a precedent for another organization to assume that the Township may recognize it as a non-profit organization.

Resident Tex Myers requested the Supervisors take dedication of his roads in Stonemill Estates. Zoning Officer Garland explained the process of dedication of roads and utility infrastructure in Antrim Township. A discussion was held whether Antrim Township can accept the roads prior to the sewer lines being dedicated and prior to the stormwater pond being built as per the approved plan. Solicitor Lisko explained why the Township accepts sewer lines before the roads since the sewer lines are placed underneath the road surfaces. The Supervisors were reminded that they may make a recommendation to the Antrim Township Municipal Authority but it is the Authority's call as to whether or not they want to accept the encroachment of the stormwater pond constructed over an existing Antrim Township Municipal Authority easement. It was agreed that the stormwater pond constructed over the Authority's

easement is separate from the road dedication issue.

A Miller/Young motion to recommend Antrim Township Municipal Authority accept the encroachment of the stormwater pond the way it is constructed on the Authority's easement, recognizing the pond is not constructed according to approved plans, with the request that two Antrim Township Municipal Authority members, one being newly-appointed member Robert Schemmerling, since he is an engineer, inspect the site to review whether the stormwater pond is outside the sewer right-of-way. Motion received two votes "yea" (Supervisors Miller and Young) and two votes "nay" (Supervisors Byers and Baer) (Chairman Myers had not yet arrived at the meeting) so motion dies.

Antrim Township staff reported the sewer line in Stonemill Estates connecting the line in the street to the Antrim Township Municipal Authority easement has an issue that must be resolved, which is separate from the stormwater pond issue. A discussion was held as to what Township employee is responsible for inspections.

Pennsylvania House of Representatives member Todd Rock addressed the Supervisors requesting the Supervisors authorize partial funding for an engineering study for Routes 11 and 16 in Greencastle.

Resolution #89: A Miller/Baer amended motion passed with four votes (Chairman Myers had not yet arrived) stating the Supervisors are interested in participating with engineering study costs for the Route 11 and 16 intersection, provided it is legal for Antrim Township to do so, as the Board of Supervisors is very much in favor of making improvements to this Greencastle Borough intersection.

Due to being a Second Class Township, Antrim Township must follow guidelines to giving funds to improve roads outside the township; thus, the Board must be legally creative, working with PennDOT on an agility program, etc., if possible.

Roadmaster Paul Barnett reviewed the Supervisors road improvement listing and the Supervisors authorized Barnett to prioritize the road inspection scheduled for Saturday, January 26, 2008, based on the Supervisors' lists of the top five roads in need of paving.

(Chairman Curtis Myers arrived at this time – 8:15 PM)

Resolution #90: A Young/Byers motion passed with unanimous vote to authorize the purchase of an Alamo 6' cycle bar assembly for the Township's John Deere 5410 tractor, purchased through Pennsylvania State Contract #2420-01, from Supplier Bradco Supply, Towanda, PA, at a 15% discounted price of \$8,983.78. A second quote was received from Antietam Tractor, Hagerstown, MD, of \$11,776.08.

Resolution #91: A Miller/Young motion passed with unanimous vote to grant a 180-day extension request to WCN Properties, an Industrial Land Development plan along Hykes Road, to allow developer time to respond to Township Engineer and staff comments.

Resolution #92: A Miller/Young motion passed with unanimous vote to grant a 180-day extension request to I-81 Equipment Sales, a commercial land development plan along Antrim Church Road, to allow developer to provide more detail on their reasons for their request to not blacktop the entire section as required by Antrim Township ordinances.

Resolution #93: A Miller/Young motion passed with unanimous vote to grant a 180-day extension request to Kingsbrook Meadows, a 14-lot Conservation by Design subdivision plan along McClanahan Road, to allow developer time to respond to staff's Conservation by Design comments.

Resolution #94: A Miller/Byers motion passed with unanimous vote to grant a 180-day extension request to Moss Springs Estates, Phase IIB and C, a 90-lot subdivision plan along Moss Spring Avenue, to allow the developer time to address engineering comments.

Resolution #95: A Baer/Byers motion passed with unanimous vote to grant a 180-day extension request to William Webster, a 1-lot subdivision plan along Shinham Road, to allow developer time to address stormwater procedure comments.

Resolution #96: A Miller/Young motion passed with unanimous vote to grant a 180-day extension request to Waste Management, for their northwest expansion land development plan along Letzburg Road to allow developer time to address the stormwater modification technical review.

Resolution #97: A Miller/Young motion passed with unanimous vote to approve a lot addition located along Buchanan Trail East for Nelson Shank.

Zoning Officer Garland reported she has researched the Molly Pitcher Planned Residential Development's traffic light questions posed to the Supervisors by resident Bob Colodonato in that Molly Pitcher shall pay for the installation and annual maintenance of traffic signal costs once a traffic signal is warranted by a PennDOT traffic study.

Resolution #98: A Miller/Baer motion passed with unanimous vote to grant an extension to Cashier's Check No. 170078 as the stormwater issue in Stonemill Estates, Williamsport Pike, for which the check was written has not yet been completed per approved plan according to Antrim Township Code. A replacement check shall be given to Antrim Township by February 1, 2008, in the amount of \$8,733.88 as the current Cashier's Check expires February 4, 2008. If we do not receive a newly dated Cashier's Check by February 1, 2008, Antrim Township will cash the existing check and Antrim Township will complete the required work.

Resolution #99: A Miller/Young motion passed with unanimous vote to release Letter of Credit #60002755118 dated February 6, 2007 for Lehman's Egg Service as all required work on their land development plan has been completed.

Resolution #100: A Miller/Young motion passed with unanimous vote to release \$93,176.00, a portion of the \$135,526.00 Irrevocable Letter of Credit #618 for Southern Penn Properties, LLC, for Ron-Gene Properties Ridge Road, as the remaining \$42,350.00, which includes the Township's ten percent, shall be kept for the remaining required work yet to be completed.

Solicitor John Lisko addressed the Supervisors regarding the need to appoint at least two, perhaps three, residents as alternates to the Antrim Township Zoning Hearing Board. The Zoning Hearing Board should have had alternates since it began; however, no alternates have ever been appointed to this Board. The Supervisors suggested contacting Rhetta Martin, former Planning Commission member, and Anita Karp, a resident expressing interest in serving the Township. Township Staff will move forward with this direction.

Resolution #101: A Byers/Miller motion passed with unanimous vote to grant a reduction of wastewater EDU's from four to two for the residence at 1683 Buchanan Trail East, as the Query family owners have indeed reduced the number of apartment units from four down to two, and this has been confirmed by the Township staffs investigation.

Resolution #102: A Byers/Baer motion passed with unanimous vote to grant a waiver from sewer fee payment for owner Rollie Anderson for one-half of a duplex located at 12572 Carol Avenue due to a fire at this location December 8, 2007.

Utilities Director Charles Goetz dispelled a rumor stating radioactive material was found at the Waste Management landfill along Letzburg Road. Pennsylvania Department of Environmental Protection contracted a third party and this inspection cleared Waste Management of having any trace of radioactive material in the landfill.

Utilities Director Charles Goetz notified the Supervisors that the Land Studies Nutrient Trading Credit

Study is nearing the end of the grant-funded contract and Land Studies is now ready to move forward with negotiations with the PA Department of Environmental

Protection to secure an approved trading credit proposal based on time and materials for Antrim Township.

Utilities Director Goetz announced the Land Studies legacy soils study that has been done in Antrim Township. An article has been published and may be read on line at Sciencemag.org.

Resolution #103: A Myers/Miller motion passed with unanimous vote to authorize moving forward with the Nutrient Trading negotiations between PA Department of Environmental Protection, Franklin County Conservation District and Land Studies on a Time and Materials cost basis.

Resolution #104: A Young/Miller motion passed with unanimous vote to accept the off-probationary status for Utility Employee Thomas Green, as his probation ended January 22, 2008. A wage recommendation will be prepared by staff for discussion at the January 29, 2008, Supervisors worksession meeting.

Utilities Director Charles Goetz reported the pre-treatment ordinance was forwarded to the Federal Environmental Protection Agency for final approval. After making sure we have the permit written as they require it, an ordinance will need to be enacted.

Resolution #105: A Miller/Young motion passed with unanimous vote to approve Antrim Township Manager Thomas author and submit an appropriations request to Congressman Shuster's office for an amount between \$1.5 million and \$1.75 million for water and/or sewer infrastructure for Phase II of the Grindstone Hill Road Connector Road extension.

Manager Thomas reported Dewberry-Goodkind Engineering is appealing the Antrim Township Board of Supervisors decision of January 7, 2008, to keep fees paid to the Dewberry professional engineering firm as paid in 2007, which in actuality were Dewberry's 2006 rates. Rather, Dewberry is requesting Antrim Township pay them their 2007 quoted rates rather than the proposed rates for engineering services received for 2008.

Resolution #106: A Myers/Miller motion passed with unanimous vote to recommend the motion stands as made on January 7, 2008, to pay Dewberry-Goodkind Engineering rates as paid in 2007, the 2006 actual rates.

Resolution #107: A Miller/Young motion passed with unanimous vote to hire Martin & Martin Inc. to provide stormwater review engineering services for Antrim Township should Dewberry-Goodkind decline to provide services to Antrim Township at their 2006 rates.

Manager Thomas notified the Supervisors that Master Certified Arborist Scott Diffenderfer has withdrawn the contracted services quote submitted to be the Antrim

Township Certified Arborist and has returned to the Township the plans he had been reviewing.

Resolution #108: A Miller/Byers motion passed with unanimous vote to have Martin & Martin sub-out plans requiring an arborist's review to either an arborist on staff or to a Martin & Martin contracted arborist when such plans are submitted to Antrim Township.

Manager Thomas announced he plans to submit the Citicorp Traffic Signal road improvement project for an award offered by the Pennsylvania State Association of Township Supervisors as this project took nearly fifteen years to complete and was a project requiring the State of Pennsylvania, the State of Maryland, the Township of Antrim and the County of Washington cooperation and approvals.

The Supervisors noted they felt it was not necessary to have Newcomer Associates architects at the proposed government center worksession meeting scheduled for January 29, 2008, at 4:30 PM.

Resolution #109: A Young/Miller motion passed with unanimous vote to authorize Manager Thomas write proclamations to the seven active members that have given over 50 years of service to the Rescue Hose Co. 1 that were recognized at the Annual Rescue Hose Awards banquet on Saturday, January 19, 2008, since the service provided by these individuals was and is far above and beyond the call of duty.

A short discussion was held on the Transportation Impact Fee study and what plan of action the Supervisors wish to take. Supervisor Byers wishes to see a defined area where this would take effect before voting on moving forward with this study and Supervisor Young stated he desires the fee to be placed on the next phase of the Grindstone Hill Road connector road.

A Young motion was rescinded to move forward with an initial study with the Transportation Impact Fee study along the proposed Phase Two Grindstone Hill Connector Road.

Solicitor Lisko advised the Supervisors they need to give their consensus to move forward with the next step and have Traffic Planning and Design, Inc. come back to them to explain what the Supervisors need to do next as their next step and, at their next meeting, authorize a plan of action. Solicitor Lisko also reminded the Supervisors that he believes the appointed seven-member committee is the one that defines the traffic impact fee area. This is another reason perhaps Traffic Planning and Design's Chad Dixon should meet with the Supervisors yet again.

Supervisor Vice Chairman Fred Young proposed the government complex worksession scheduled for January 29, 2008, be canceled until after a management/operations study is done and results of that study are received.

Supervisor Byers feels we need to keep discussions on-going about a proposed complex and wishes to speak on this subject publicly. It was agreed that the Supervisors will meet on Tuesday, January 29, 2008, at 4:30 PM, to discuss this publicly and make a decision about the location of the Franklin County Magistrate's office because it is public knowledge that County is looking at another location for this office.

Under Public Comment, resident Tom Myers apologized for his crude language directed at staff earlier this evening but wishes to encourage responsibility on those Township Staff who routinely are responsible for doing inspections for stormwater, sewer, etc.

Resident Dave Minnich questioned the posting for the next Zoning Hearing Board meeting stating it is scheduled for February 14, 2008. The Jeff Todd appealed Zoning Hearing date has been difficult to schedule prior to March 15th (Solicitor Lisko advised this meeting should not be delayed that long) as follows: (1) Legal counsel had a conflict of interest (2) Solicitor Lisko had a scheduling conflict (3) several Zoning Hearing Board members had a scheduling conflict. Assistant Zoning Officer Sylvia House is now awaiting alternate Zoning Hearing Board members to be appointed to avoid this scheduling conflict now and in the future.

Resolution #110: A Baer/Miller motion passed with unanimous vote to adjourn the regular January 22, 2008, Supervisors meeting to call for an Executive Session at 9:28 PM. Chairman Myers called for an Executive Session at 9:28 PM.

The Executive Session adjourned at 9:35 PM. Solicitor Lisko reported that the Route 16/Route 11 funding issue was brought up but was not discussed as it was not an executive session issue and a personnel issue was discussed briefly.

All agenda items being addressed, the meeting adjourned at 9:36 PM.

Respectfully submitted,

Secretary