

# **July 8, 2008 - Antrim Township Board of Supervisors**

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

### **REGULAR MEETING**

**JULY 8, 2008 5:00 PM**

The Antrim Township Board of Supervisors held their regular meeting on Tuesday, July 8, 2008, in the Antrim Township Municipal Building, 10655 Antrim Church Road, with the following present: Chairman Curtis Myers, Vice Chairman Fred Young, III, Samuel Miller, Richard Baer, James Byers, John Lisko, Angela Garland, Charles Goetz Jr., Ben Thomas Jr., and Renee Perrin.

Visitors: See Sign-In Sheet Attached

Chairman Myers called the meeting to order at 5:02 PM. The meeting opened with prayer followed by the Pledge of Allegiance.

Resolution #329: A Miller/Byers motion passed with three votes (Supervisors Young and Byers had not yet arrived at the meeting) to approve as written the minutes of the regular June 24, 2008, meeting of the Antrim Township Supervisors.

Resolution #330: A Baer/Miller motion passed with three votes (Supervisors Young and Byers had not yet arrived at the meeting) to pay all bills as shown on the Treasurer's Reports dated June 30, 2008, and July 8, 2008.

Resolution #331: A Myers/Miller motion passed with three votes (Supervisors Young and Byers had not yet arrived at the meeting) to grant a 180-day extension request to Whispering Willows, a 132-lot subdivision along S Young Road, to allow developer more time to adequately address outstanding staff, stormwater, water and sewer comments.

Resolution #332: A Miller/Baer motion passed with three votes (Supervisors Young and Byers had not yet arrived at the meeting) to grant the following two modification requests for the Antrim Township Community Park, Phase 3, 4, 5 site development plans: (1) from accessing easements around all stormwater management facilities that would provide ingress to and egress from a public right-of-way and prohibit structures and other obstructions from being placed in areas intended and required for stormwater management. The waiver is applicable since the site is a public space owned by Antrim Township; and (2) a waiver for the groundwater recharge requirement for watersheds 3, 4, 5, 9, and 13 within the project site. Soil testing at the site within these watersheds has indicated that unsuitable infiltration rates exist and depths to limiting zones prohibit infiltration. Antrim Township Engineer Dewberry recommends granting of these waivers

(Supervisor Fred Young arrived at the meeting at this time - 5:04 PM.)

Resolution #333: A Miller/Baer motion passed with three votes (Supervisor Young was not yet voting and Supervisor Byers had not yet arrived at the meeting) to grant the Antrim Township Community Park Phases 3, 4, 5, a 180-day extension request to allow time to address remaining Conservation District Erosion and Sediment Control comments and stormwater comments.

Resolution #334: A Baer/Miller motion passed with three votes (Young had just arrived and Byers had not yet arrived at the meeting) to grant the following modification requests to Shadow Creek Meadows, Phase VI, a subdivision along Williamsport Pike: (1) from meeting the ordinance requirements regarding stream bank erosion discharge and storage volume for the existing storm water management basin with the condition that the waiver request for the stream bank erosion requirement for the existing basin be listed on Sheet 1 of the plan set, and (2) from having to provide any additional core trench or

anti-seep collars in the existing stormwater management basin with a condition that the applicant revise the Maintenance Schedule on the plans and if the new development causes erosion and/or instability in the existing basin embankment or outlet structure, the developer must provide the Township with the measures to correct the situation, including the installation of antiseep collars, for approval. Note 3 of the Maintenance Schedule must note requiring the developer to provide corrective measures to the Township for approval.

Resolution #335: A Myers/Miller motion passed with four votes (Supervisor Byers had not yet arrived at the meeting) to grant stormwater modification requests to Merle and Ethel Horst for a final subdivision and land development plan along Hollowell Church Road from the requirement that a basin embankment slope shall not be steeper than one (1) foot vertical in three (3) feet horizontal as the Township engineer recommends the Township grant this waiver due to site constraints and since the embankment will be constructed with an impervious core and key trench. (2) A waiver from the requirement that basins shall be kept in a maintainable condition with a minimum bottom slope of 1% sloped toward the principle outlet structure. If paved flow channels are used, then the basin bottom slope can be reduced to 0.5%. Paved low flow channels shall have a minimum width of four feet and be constructed of four-inch-thick concrete over four inches of compacted PennDOT No. 2A stone as the Township Engineer Dewberry recommends granting this waiver since the basin is designed as an infiltration basin, a flat bottom slope will promote even runoff distribution and infiltration on the bottom of the basin. (3) A waiver from the recharge/infiltration facilities shall not be used as sediment basins at any time with recommendation of granting this waiver from Township Engineer Dewberry since there is a horizontal and vertical separation between the sediment storage area for the sediment basin and the infiltration area for the stormwater management basin.

Resolution #336: A Baer/Miller motion passed with four votes (Supervisor Byers had not yet arrived at the meeting) to grant conditional approval of the subdivision land development plan submission by Merle and Ethel Horst, Horstdale, located along Hollowell Church Road, pending stormwater approval being received. The Antrim Township Board of Supervisors agree to being available to come into the Township office to sign this plan when stormwater approval has been received.

Resolution #337: A Young/Miller motion passed with four votes (Supervisor Byers had not yet arrived) that a stormwater modification be granted for Castle Commons, a land development plan along Williamsport Pike, from groundwater recharge (infiltration, recharge, retention) requirement as Antrim Engineer Dewberry recommended granting this waiver due to the shallow depth to limiting zone and the unsuitable percolation rate of the soils at the site.

Resolution #338: A Miller/Young motion passed with four votes (Supervisor Byers had not yet arrived at this meeting) to grant a stormwater modification request for a 3-lot subdivision for Kell/Woodring along Hollowell Church Road from the requirement to reduce the post-development 2-year storm flow rate from the site to a rate less than the 1-year pre-development flow rate, a waiver from which the Township Engineer Dewberry recommends as these sump areas will store and infiltrate the runoff from these storm events.

Resolution #339: A Baer/Miller motion passed with four votes (Supervisor Byers had not yet arrived at the meeting) to approve a 3-lot final subdivision plan for Kell/Woodring along Hollowell Church Road.

Resolution #340: A Baer/Miller motion passed with four votes (Supervisor Byers had not yet arrived at the meeting) to approve a 1-lot subdivision plan along Marion Road for the Blunt Farm.

Resolution #341: A Baer/Young motion passed with four votes (Supervisor Byers had not yet arrived at the meeting) to preliminarily approve a land development plan along Letzburg Road for Mountain View Reclamation with the note that all required fees shall be paid prior to final approval being granted by the Antrim Township Board of Supervisors.

Resolution #342: A Miller/Baer motion passed with four votes (Supervisor Byers had not yet arrived at the meeting) to authorize the advertisement of the proposed Nuisance Ordinance and that a hearing be scheduled.

Attorney William Dick, of Dick, Stein, Schemel, Wine and Frey, LLP, representing Frank Plessinger and Tex Myers addressed the Supervisors to request a re-zoning hearing for property in Antrim Township fronting on the north side of East Baltimore Street from Interstate 81 to the Borough line. These properties are currently zoned R-1, R-2, and Community Commercial and the request is to change these existing three zones to Highway Commercial. (Supervisor Byers arrived at this meeting at 5:20 PM during this discussion.)

The Supervisors concurred that the Antrim Township Municipal Authority should review, discuss, and comment on this re-zoning request prior to the Antrim Township Supervisors making a decision whether or not to proceed with advertising due to an agreement between Tex Myers and the Antrim Township Municipal Authority.

Zoning Officer Garland requested the Supervisors give her recommendations on various ordinance proposals. Zoning Officer Garland has drafted some proposals including revisions on, but not limited to, sheds, driveways, residential zoning, agricultural, in-law suites, etc., as requested by the Board of Supervisors at the last worksession held for the purpose of ordinance review.

The Supervisors decided to table the Ordinance discussion to allow time for the Supervisors to further review, in detail, the proposals submitted.

Solicitor Lisko noted the Supervisors shall refer to his written correspondence regarding current and future road construction bids relating to the prevailing wage issue.

Utilities Director Charles Goetz Jr. reported on the decision of the Antrim Township Municipal Authority regarding Whispering Willows, a 132-lot subdivision plan along North Young Road, as their engineer requested the developer not be required to replace approximately 256 feet of replacement sewer line for this development as per Township staff and engineer's review comments. Past policy has been that the developer would be required to replace that line because they must run lines from property line to property line and it would only make sense to replace existing truss pipe with new pipe. The developer's engineer also requested that in running water lines, they not be required to install water service lines and curb stops for all properties that the line would pass. Past policy has also been that the developer is required to run the water service lines and a curb stop to all properties the water main passes as per Township staff and engineer's review comments, and the Authority agreed to stay consistent with past policy on this issue as well. Also, the Antrim Township Municipal Authority is not requesting enforcement of the Township Mandatory Connection Ordinance for existing dwellings. Supervisors took no action; however, they did agree that was a good policy for the Antrim Township Municipal Authority.

Utilities Director Goetz announced a pre-construction meeting with Doubletree, the successful contractor for the pole type building at the Wastewater Treatment plant, will be held sometime this week, week of July 7<sup>th</sup>, 2008, with construction beginning the week of July 14, 2008, and being completed in approximately three days.

Utilities Director Charles Goetz updated the Supervisors on the process of eliminating Lift Station 4, West View Circle. Lift Station replacement costs are estimated at \$850,000, thus the decision was made to go gravity, connecting to the gravity line along what is known as Old Rt 16, going into the system at the Greencastle Vet Center. The Authority has instructed their Solicitor to move forward with eminent domain for all property owners who have not signed an easement agreement for the elimination of Lift Station 4. Even though the process of eliminating a Lift Station is costing about the same as a

replacement station, the costs of operating and maintaining a lift station will be totally eliminated.

Utilities Director Goetz mentioned the Supervisors received a request for sewer payment waiver from owner Shai David for his vacant property at 1933 Buchanan Trail East that

is currently for sale, and has been since November, 2007. No action was taken on this request as a property for sale is not an allowable reason for granting a waiver from paying sewer rent.

Manager Thomas reported Staff is moving forward with purging the files in the boardroom and will renovate as necessary the "below the loft" area of the upper garage as soon as a location can be found for the "below-the-loft" existing storage.

Resolution #343: A Miller/Byers motion passed with unanimous vote to purchase an 8' x 40' metal storage vault from D. M. Bowman at a cost of approximately \$2,500 for tire and equipment storage currently located in the upper garage.

Manager Thomas reported on the June 18, 2008, response from PennDOT regarding proposed I-81 emergency access points. PennDOT states that, due to the proximity of the proposed accesses to interchanges, and considering the availability of emergency crossovers, the Department has decided it is not prudent to pursue construction of the above suggested emergency accesses as this does not meet Federal Highway Administration Requirements.

An update was given regarding the Joint Playground Safety Inspector Agreement that, per Solicitor Lisko's direction, in order to execute this agreement, an Ordinance must be adopted. It is the intent of Antrim Township, Borough of Waynesboro, and Washington Township to jointly adopt this ordinance, sharing all costs. To date, Solicitor Lisko has approved the Agreement and Manager Thomas will contact Washington Township Manager Mike Christopher to obtain his estimated timetable on adopting this required Inter-Governmental Cooperation Ordinance.

Manager Thomas announced that the paving on the 2008 road project is scheduled to begin Thursday, July 10, 2008. A memo received July 8<sup>th</sup>, 2008, from Hammaker East Ltd, the successful contractor for 2008 road work, notifying the Township of a price increase of this existing contract for road paving, addressing an 11% increase of the original contracted amount due to the increased cost of asphalt. Manager Thomas identified the need to even more closely monitor this expenditure.

Manager Thomas noted the Internal Revenue Service announced an increase in the optional standard mileage rate for the final six months of 2008, changing from 50.5 cents a mile to 58.5 cents per mile. The Supervisors chose to keep the mileage rate reimbursement for Antrim Township Supervisors and employees using personal vehicles for employment reasons at 50 cents a mile as set in the January 7, 2008, organizational meeting.

Manager Thomas alerted the Supervisors of the update on the Colonial Drive/Williamson Road stormwater project the Township was requested to do after the 2006 storm due to numerous resident/homeowner complaints received at that time. Engineer Martin & Martin, Inc. was hired to engineer this upgrade which showed it was necessary to obtain

multiple easements from private property owners. Negotiations with these property owners have been ongoing for several months and have now reached a stalemate with several of the property owners concerning obtaining these easements. Manager Thomas' recommendations to abandon this project since we are unable to obtain proper easements and due to lack of maintenance on private properties for the system to adequately work were agreed to by the Supervisors.

Manager Thomas updated the Supervisors on the Shared Use Trail Inspector history regarding PennDOT's rejection of Mr. Jason Shindle's appointment as the Shared Use Trail Inspector. Just prior to this meeting, a listing from Urban Engineering, with offices

in Philadelphia and Mechanicsburg, PA, was received by this office and this firm has been recommended to us by PennDOT for supplying Antrim Township with a licensed inspector for the Shared Use Trail project.

Resolution #344: A Byers/Miller motion passed with unanimous vote to, pending positive appropriate staff and legal review, authorize Urban Engineering of Mechanicsburg, PA, to supply a certified engineer for the Shared Use Trail construction.

The Supervisors will table the Melrose Meadows II Open Space discussion until after the Park Committee meeting of July 16, 2008, to allow more Park Committee discussion; thus this subject will be on the Supervisor's agenda of the regular meeting on July 22, 2008.

Supervisor Sam Miller requested the public's input on a future police force and suggested getting the word out to the residents using several different sources. It was suggested that a public meeting be scheduled in the near future specifically for this topic.

Chairman Myers brought to light a matter of an Antrim Township Municipal Authority member that one of the members feels that after 9 PM, they are ready to leave the meeting and no longer wishes to participate.

Manager Thomas asked that this matter be discussed in Executive Session. Vice Chairman Young asked to discuss the procedure necessary to remove someone from duties. Utilities Director Goetz stated the Pennsylvania Municipality Authorities Act states, "Removal - Unless excused by the board, a member of a board who fails to attend three consecutive meetings of the board may be removed by the appointing municipality up to 60 days after the date of the third meeting of the board which the member failed to attend."

Vice Chairman Young requested an Executive Session to discuss personnel issues. An Executive Session is also needed for West View Circle discussion, the ongoing litigation with Todd Auto Body and the Municipal Authority concerns.

Prior to the Executive Session convening, there was no public comment.

Resolution #345: A Young/Baer motion passed with unanimous vote to adjourn the regular meeting of the Antrim Township Supervisors for an Executive Session.

Chairman Myers called for an Executive Session at 6:20 PM. The Executive Session adjourned at 7:40 PM. Solicitor Lisko reported that a personnel issue was discussed, Antrim Township Municipal Authority Lift Station 4 was discussed, and ongoing litigation with Todd Auto Body was discussed.

Resolution #346: A Young/Miller motion passed with unanimous vote to re-convene the regular Antrim Township Supervisors meeting.

Supervisor Miller asked Manager Thomas regarding a future Township police force and if the residents can decide to have or not have a police force, and whether or not this question can be placed on a ballot. Ultimately, per Manager Thomas, the Supervisors have the responsibility to make that decision. A special meeting can be held to obtain the opinion of Township residents, a newsletter could be used for the sole purpose of informing the residents regarding this proposal, and/or a professional statistician could determine results of an actual survey.

The Supervisors had a prepared memo they requested to have distributed to Township Staff and Employees on Wednesday, July 9, 2008, notifying them of the Supervisors' plan to have an Executive Session with Matt Dhillon on July 10, 2008 at 5 PM to discuss matters concerning the majority, if not all, of the employees of Antrim Township. The Employees will be given the opportunity to request in

writing that their employment be discussed in an open meeting with the employee present, and should an employee choose to be present at a public open meeting, this employee request shall be delivered to the Township Manager prior to 4:30 PM on July 10, 2008.

All agenda items being addressed, the meeting adjourned at 8:00 PM.

Respectfully submitted,

Secretary