

August 12, 2014 - Board of Supervisors Meeting Minutes

Minutes of the Antrim Township Supervisors
Regular Meeting
August 12, 2014 7:00 PM

The Antrim Township Board of Supervisors met Tuesday, August 12, 2014 at the Antrim Township Municipal Building, located at 10655 Antrim Church Road, with the following members present: Pat Heraty, Chairman; John Alleman, Vice Chairman; James Byers, Rick Baer and Fred Young. Also attending were: John Lisko, Solicitor; Brad Graham, Administrator; Sylvia House, Code Enforcement/Zoning Officer; Carl Rundquist, Public Works Director; Jennifer Becknell, Secretary.

Heraty called the meeting to order at 7:04 p.m. and reminded the audience that meetings are audio recorded and posted to the Township website.

Graham opened the meeting with prayer, followed by the Pledge of Allegiance to the Flag.

Heraty asked for Public Comment.

Tim Hogan with ATAPCO addressed the Supervisors with his concerns about almost losing a tenant because the new ordinances have not been adopted. Mr. Hogan was able to work with the Township to retain his client. Mr. Hogan stated that the revised ordinance that is before the Supervisors for approval is more conducive for attracting more businesses for the other parcels and is a good balance between business and the community. Mr. Hogan is in support of the Supervisors approving the new ordinance and proceeding with advertising and adoption.

Joel Wenger, 8988 Hades Church Road, came before the Supervisors representing the agricultural district. Mr. Wenger requested that the Supervisors would not restrict the farmers. They are needed to produce food and are dwindling down. In order for a farmer to stay in business and make a profit you are going to see confinement housing for livestock. Mr. Wenger cited Act 43 which gives the right to farm their land and the Supervisors should be in support of them, not create regulations that keep them from making a profit. Consumers should not tell the farmer how to farm their land.

Audrey Tozer, with Remax Realty of State Line, addressed the Supervisors by stating she thought the new ordinance and proposed zoning map looks logical and streamlined. Audrey also stated that Agriculture is and has always been number one and ensuring it will always be there is our primary concern. Ms. Tozer inquired to what the timeline is for approving the proposed new zoning ordinance, to which Mrs. House explained that once authorized by the Supervisors, a public hearing will be held 45 days after the ordinances have been sent to both the Franklin County and Antrim Township Planning Commissions and proper advertising completed.

An Alleman/Young motion passed 4-0-1 (*Baer abstained as he was not present at the last meeting*) to approve the minutes of the July 22, 2014 Board of Supervisors Ordinance Review Work Session.

An Alleman/Young motion passed 4-01 (*Baer abstained as he was not present at the last meeting*) to approve the minutes of the July 22, 2014 Board of Supervisors Regular Meeting.

A Baer/Byers motion passed 5-0 to approve the bills on the Treasurer's Report dated August 12, 2014.

Ed Wine, attorney representing both James Zaiger (Cold Spring Builders) and Tom Shook, came before the Supervisors under the visitors section. Mr. Wine stated that both Mr. Zaiger and Mr. Shook would like further consideration in relation to the motion the Supervisors passed at the July 8, 2014 regular meeting concerning clarification of the building and selling process for Melrose Meadows townhomes. Mr. Wine said his clients would like to offer two (2) alternatives in place of needing to wait for

occupancy permits to be issued before selling the prior unit. The two alternatives are as follows: 1) post a bond with the Township to cover any legal suit that may arise should damage be done to the first unit while the second unit is being constructed; or 2) put a disclaimer on all units sold that by purchasing a unit the buyer is waiving their right to sue the Township should damage occur. The Supervisors asked that Mr. Wine put his proposed alternatives in writing and submit to staff. Once received, staff will have attorney Linus Fenicle review and a decision will be rendered by the Township Zoning Officer. Mrs. House asked if the Supervisors were in support of either alternative, to which the Supervisors agreed that either would be satisfactory.

A Young/Baer motion passed 5-0 granting the modification request from paving a proposed access drive off of Sportsman's Road for the Greencastle Sportsman's Club with the condition that they pave the access drive 10 feet back from the ROW (right of way) line. Should the Greencastle Sportsman's Club acquire the property intended for this additional access drive, the club plans to use shale to surface the road to keep costs down.

A Heraty/Alleman motion passed 5-0 granting a 180-day extension on the land development plan for John and Debbie Hoffman, Molly Pitcher Highway. The extension was requested to allow time to proceed through the review process. The Antrim Township Planning Commission recommended granting this extension.

A Baer/Young motion passed 5-0 approving the final plan for Gavin Strait, lots 130A and 134A, residential lot addition, Castlegreen Drive.

A Byers/Baer motion passed 5-0 authorizing staff to send the RFPW-NBD (Request for Planning Waiver-Non Building Declaration) to DEP (Department of Environmental Protection) for Willis M. Leshner, residential lot addition.

A Young/Heraty motion passed 5-0 adopting Ordinance # 334 which amends Chapter 110-39 by adding a subsection B to establish fees and charges for collecting delinquent sewer accounts. The ordinance has been properly advertised with proof of publication received.

A Baer/Young motion passed 4-1 (*Byers opposed*) adopting Ordinance # 335 that changes the speed limit on Filer road to 25 m.p.h. The newspaper did not run the Township advertisement as requested, thus requiring the Township to re-advertise and re-adopt this ordinance, and to resubmit to the law library. This motion rescinds Ordinance 333.

House opened up a discussion with the Supervisors to continue addressing the concerns from the last ordinance review work session. In an attempt to keep the ordinance moving House presented extensive information in the planning and zoning report on various options the Township can utilize as a uniform method for calculating setbacks in the AG (agricultural) district. There was some debate to what the setback distance should be, as some Supervisors felt the suggested 200' setbacks were too great, and others felt the current 50' setbacks were not sufficient. After much discussion, direction was given to the Zoning Officer to proceed with the Ordinance Review Committee in coming up with the proper language to support a 100' setback for all types of animal categories in relation to housing of such animals.

An Alleman/Young motion passed 5-0 authorizing the full bond release to ATAPCO for Rail Hub One in the amount of \$1,337,174.30, pending satisfaction letter from the Townships engineer (Dewberry) which is conducting the final inspection and the receipt of the as built drawings.

A Baer/Young motion passed 5-0 authorizing the full release of Letter of Credit to ATAPCO for I-81 Exit 3 in the amount of \$1M. The traffic lights at Exit 3 are now in operation. The mylars have been signed and returned to PennDOT.

The Food Lion Distribution Center bond release request by Kinsley Construction was tabled due to the fact that the Township has not received the as-built drawings.

A Young/Byers motion passed 5-0 authorizing the full bond release to Taco Bell. All documents have been received.

Lisko called for an Executive Session following the meeting to discuss potential litigation and real estate acquisition.

Rundquist gave an update on the bids for replacement of the Sludge Press. Mr. Rundquist stated that the bids were opened on August 6, 2014 with bids being received for the General contractor and Electric contractor portions. No bids were received for the HVAC or Plumbing contractor portions. Mr. Rundquist said these two portions that received no bids are being rebid and are due by August 25, 2014. The rebid process is done electronically using PennBid, which he reported is quick and efficient. Mr. Rundquist also announced that he has made calls to “drum up” interest and feels confident that bids for HVAC and Plumbing will come in. Mr. Rundquist continued by stating the following: 7 bids were received for the General contractor portion, with the apparent low bidder being PSI (Pumping Solutions, Inc.) at \$864,440.00; 3 bids were received for the Electric contractor portion, with the apparent low bidder being Hickes Assoc. Inc. at \$202,500.00.

A Baer/Young motion passed 5-0 approving the resident request for water/sewer service to be terminated until property is sold at 15086 Glade Terrace. This property meets the criteria for being unoccupied for 180 days. The ATMA (Antrim Township Municipal Authority) has already reviewed this situation with their approval given to terminate service, provided the \$100.00 shut off fee is paid and the water meter must be pulled.

A Baer/Byers motion passed 5-0 authorizing staff to proceed with the traffic study proposed by the Township Roadmaster to give support for the Township’s decision to raise the speed limit from 25MPH to 35 MPH for the western portion of Hykes Road. The section of Hykes Road that will have the speed limit modified is from Williamsport Pike to Greenmount Road. Once the traffic study is completed and is favorable to the increase in speed limit, the required ordinance can be created for the Supervisors to approve at a later meeting.

A Heraty/Baer motion passed 5-0 approving the bid from Ganoe Paving, which was the only bid received, at \$44,589.60, providing the Township obtains the final Right of Ways (ROW) required. This bid was for the paving of the Shared Use Trail Extension, which is from Carol Drive to the Shanks Church parking lot. The bid came in higher than expected due to prevailing wage rates and a spike in asphalt prices in the month of August. Graham explained that this bid price is still well below the budget figure of \$83,000.00, especially since the Township received the \$20,000.00 grant from the county for this project.

Graham informed the Supervisors that the bids for the Martins Mill Bridge renovation were opened on July 31, 2014 and provided the Supervisors a recap sheet to review during the discussion. The apparent low bidder was Lycoming Supply Inc. at \$1,133,685.00. The grant awarded for this renovation project is \$949,000.00. Graham explained that this leaves a shortage of \$184,685.00, and once added to the construction inspection services of \$63,488.65 and the estimated engineering consultation of \$15,000.00, the total of the shortage jumps to \$263,173.65 against the grant amount awarded. Graham gave the Supervisors the following options to the deficit problem: 1) reject the bids and drop the project; 2) modify the plans (such as take out the steel beam) and rebid; 3) utilize reserve funds to pay for the overrun. After discussing in length the various ways to reduce costs the Supervisors decided to table this topic until the next meeting to allow two additional weeks to review further.

A Baer/Byers motion passed 5-0 approving Workers’ Compensation coverage for Rescue Hose Co. No.

1 during two events, should Rescue Hose Fire Police choose to assist with these events. The two events are as follows: 1) The American Legion Post 373 annual concert on August 30, 2014 located at 4775 Williamson Road; 2) Shady Grove Family Medical Center to host a “drive-through flu clinic” in late September.

A Baer/Young motion passed 5-0 authorizing the Chairman to sign the previously approved Health Reimbursement Plan (HRA) Adoption Agreement.

Heraty called for Public Comment.

Robert Smith, 7498 Angle Road, encouraged the Supervisors to seriously consider keeping the steel beam understructure in the Martins Mill Bridge renovation plans. Mr. Smith cited the fact that if the wood portion is ever damaged in any way, the Township would at least have a solid base to which to reconstruct and perform repair work from.

A Baer/Young motion passed 5-0 to adjourn the Regular meeting into an Executive Session at 8:27 p.m.

A Young/Byers motion passed 5-0 to adjourn the Executive Session, back into the Regular Session at 8:49 p.m.

Heraty announced that during Executive Session potential litigation and acquisition of real estate was discussed.

On behalf of the School District, Graham inquired whether the Supervisors are interested in adding another smart board to the boardroom. The Supervisors stated they really like the way the boardroom looks now and asked the School District to see if they can make-do with one smart board.

An Alleman/Young motion passed 5-0 to adjourn the Regular Meeting at 8:53 p.m.

Respectfully submitted,

Jennifer Becknell

Board of Supervisors Secretary