

March 16, 2009 - Antrim Township Board of Supervisors

MINUTES OF THE ANTRIM TOWNSHIP SUPERVISORS

SPECIAL MEETING

March 16, 2009 5:00 P.M.

The Antrim Township Board of Supervisors met in a Special Meeting Monday, March 16, 2009 in the Antrim Township Municipal Building, 10655 Antrim Church Road, with the following present: Chairman Curtis Myers, Vice Chairman Rick Baer, Fred Young III and Sam Miller. James Byers was absent from the meeting. Others attending included John Lisko, Solicitor and Sylvia House, Zoning/Code Enforcement Officer and Brad Graham, Administrator. The meeting was tape recorded.

Visitors: Tom Myers, Ginger Myers, David Minnich and Robert W. Smith.

Chairman Myers called the meeting to order at 5:05 p.m.

Resolution #184: A Baer/Young motion passed 3-0-1 (Byers was absent from the meeting and Miller abstained) to approve a request from planning waiver/non-building declaration for Duane and Cara Sheaffer, Kauffman Road.

Resolution #185: A Baer/Young motion passed 3-0-1 (Byers was absent from the meeting and Miller abstained) to approve a final 3-lot residential subdivision plan for Duane and Cara Sheaffer, Kauffman and Harshman roads.

Resolution #186: A Myers/Miller motion passed with four votes (Byers was absent from the meeting) to amend Resolution #147 of the February 24, 2009 meeting to read "recreation fees and repair and improvement charges must be in place prior to Board of Supervisors final approval of the final subdivision plan" and not as stated "up front when the land use permit is completed."

Resolution #187: A Myers/Miller motion passed with four votes (Byers was absent from the meeting) to amend Resolution #152 of the February 24, 2009 meeting to read "to approve a 120-day extension request" and not as stated "to approve a 180-day extension request."

Solicitor Lisko told those present that he and Supervisors Myers and Miller met with Jeff and Connie Todd and their attorney, David Martineau, to prepare a "Settlement Agreement" for the "Parties" (the Todds and Antrim Township) who have become involved in a series of litigations. The agreement had already been signed by the Todds.

Lisko listed parts of the agreement which the Todds agree to come into compliance with along with posting a bond in the amount of \$24,937.00 for the work to be done.

The Todds must apply for the proper permits for their two properties; on the Worleytown Road property, a stormwater management plan must be filed with the Township; remove gravel areas from the property; move existing building to at least five (5) feet from the property line; no business may be established or operated on the property, including a home occupation, but a home office may be maintained and future owners of the property must comply with the Township Home Occupation requirements in effect if they apply for a home occupation permit; two (2), six inch (6") diameter drainage pipes must be replaced with one (1) eighteen inch (18") diameter pipe; and must insure that an embankment on the property will be maintained. These actions must be completed within nine (9) months of February 26, 2009, with the financial security in place thirty (30) days from February 26, 2009.

David Minnich addressed the Board asking Supervisors to reject the agreement until the Todds do what

they have to do, then withdraw the complaints. Minnich felt the Supervisors would be setting a precedent and leaving things wide open for the future.

Supervisors stated that with the bond (financial security) in place, if the Todds did not complete the work to come into compliance, Supervisors would pull the bond and complete the work for them.

Resolution #188: A Miller/Baer motion passed with four votes to accept and sign the agreement with Jeff and Connie Todd.

Resolution #189: A Baer/Miller motion passed with four votes to authorize Chairman Curtis Myers to sign the agreement.

Fred Young stated that the 2008 audit showed that vacation, personal and sick time payout for termination of employment was not addressed or clearly written in the Personnel Manual and that Supervisor Baer, Solicitor Lisko and Administrator Graham should discuss this issue and bring their findings back to the Supervisors at the March 24, 2009 Board of Supervisors meeting.

Resolution #190: A Miller/Baer motion passed with four votes to adjourn the meeting at 6:45 p.m.

Respectfully submitted,

Joyce A. Nowell

Assistant Secretary