

# **April 13, 2009 - Antrim Township Board of Supervisors**

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

### **JOINT MEETING**

**April 13, 2009 5:00 p.m.**

The Antrim Township Board of Supervisors held a joint meeting with the Antrim Township Municipal Authority, Greencastle Borough Council and the Greencastle Area Franklin County Water Authority on Monday, April 13, 2009 at 5:00 p.m. in the First Assembly of God Church at 525 Leitersburg Rd Greencastle, PA 17225, with the following present: Antrim Township Board of Supervisors: Chairman Curtis Myers, Vice Chairman Rick Baer, Supervisor Fred Young III, and Supervisor Sam Miller; Antrim Township Municipal Authority members: Chairman Elwood Myers, Vice Chairman Roy Baum, Treasurer Bob Schemmerling, Secretary Bob Coladonato, and Assistant Secretary/Treasurer Rodney Eberly; Greencastle Borough Council members: President Charles Eckstine, Vice President H. Duane Kinzer, Council Member Harry Foley, Council Member Craig Myers, and Council Member Michelle Emmett; and GAFCWA members: Chairperson Gregory Rock, Vice-Chairperson Robert Miller and Assistant Secretary/Treasurer Thomas Green. Others attending included John Lisko, ATBOS Solicitor, Shawn Meyers, ATMA Solicitor, Borough Manager Ken Womack and Antrim Township Administrator Brad Graham. Antrim Township Supervisor James Byers and Student Representative to the Board of Supervisors, Peter Oppliger were absent from the meeting.

Visitors: See attached sign-in sheet.

Chairman Myers called the meeting to order at 5:04 p.m.

Brad Graham, Township Administrator led the meeting and announced that Senator Alloway was among the visitors at tonight's meeting. Mr. Graham addressed all of those in attendance about what the goals of the meeting were. The main goal was to address whether the Antrim Township Municipal Authority would decide to move forward with the sale of the water authority to the Borough of Greencastle. Mr. Graham gave an overview of the topics to discuss at tonight's meeting: Gain a consensus about growth in the township, discuss the benefits of the sale for both the Township and the Borough and address putting aside the past issues between the Borough and the Township and work towards an agreement for the sale.

Mr. Graham asked what the mission of the new authority would be. GAFCWA Vice Chairman Robert Miller responded that the mission of the GAFCWA has always been to provide safe, clean good quality water service to the customers we serve. He would like to make sure that they have enough water in advance before a merger would occur. The GAFCWA supports development but they do not develop growth. The developer builds the infrastructure. He can't remember ever turning down a developer but they must be careful about adding additional customers. The GAFCWA is trying to protect the current sources of water. They currently have the opportunity to move forward with a commercial developer at Exit 3. Mr. Miller stated that the Borough and the Township have not worked together before but this would be the first step.

Bob Schemmerling, ATMA Treasurer, concurred with Mr. Miller that this is a unique and very opportune time to work for this merger. The development of new wells and systems is a great opportunity for us.

Mr. Graham asked the question "How will the mission affect growth and development issues?"

Bob Coladonato, ATMA Secretary, agreed with Mr. Miller that connecting the two systems needs to be the main priority and we should do it sooner rather than later.

Curtis Myers, ATBOS Chairman asked the Borough what type of volume they can handle. Ken Womack, Borough Manager, responded that they can currently handle 1.6 million gallons. Mr. Miller commented that it would be better to spread out and not do drastic improvements to accommodate larger water customers.

Mr. Myers also asked the Borough about whether they ever see the Sewer departments being combined. Mr. Miller responded that they do not get involved too much with Sewer and that water would be a good place to start. They currently have 1,700 – 1,800 customers in the Borough.

Ken Womack, Borough Manager commented that he doesn't know a time frame for the merger to happen but they would use the current rate structure of the Township.

At this time, Senator Alloway addressed all of the Boards about what he has done to facilitate this merger. He stated that he has persuaded the Governor to give us grant funding for this project.

Tap fees were discussed at this time. Mr. Miller stated that tap fees are enacted by the State Legislature based on calculations that include dividing the number of new customers by the total number of customers. New customers must purchase their share. The tap fees for the Borough went down by \$50.00. An engineer must certify the information. Mandatory hook-ups were also discussed. If you are an existing building you are no longer required to hook-up, however new developments must comply. Shawn Meyers, ATMA Solicitor commented that there is a separate service area for the purpose of rates and that there are different zones with water service. There are currently discussions about moving towards one consistent tap fee.

Harry Foley, Borough Council Member, asked about the consolidation of fees for the entire area. Mr. Miller responded that the fees would stay like they are until they assess the situation. We need to understand the situation before making any changes to the rates.

Curtis Myers, ATBOS Chairman asked how we would divide representation between the Borough and the Township on the new authority. Mr. Eckstine responded that there are currently 5 members on the Borough's authority. The current by-laws say the members of the authority have to be customers of the water system. He would ask the Township Supervisors to submit names so vacancies on the GAFCWA could be filled so the Township can remain represented. They would like to have the Township involved with the new authority. Shawn Meyers, ATMA Solicitor stated that authority members do not have to be residents but they must be a business owner in the jurisdiction of the community and must have an interest in the community. Mr. Miller stated that he must make decisions that affect his own well-being but the attitude needs to be that decisions are made in the best interests of the authority. John Lisko, ATBOS Solicitor stated that the Bear Valley Water Authority services a lot of townships and someone from each township is on their board. He feels we should have someone from Antrim Township on the new authority. Mr. Miller stated that the GAFCWA minutes were forwarded to the Borough and the Township once they were approved. Fred Young, ATBOS Supervisor stated that he would like to see at least 2 representatives from the ATMA to serve on the GAFCWA. Ken Womack responded that according to the Borough's By-Laws, the Borough Council must approve authority members. Shawn Meyers stated the Borough Council must agree to honor the Township's wishes. John Lisko stated that the Township could enter into an agreement with the Borough that the Township would recommend members and the Borough would appoint them. Shawn Meyers stated that according to the Articles and By-Laws that the Borough has the right to make the appointments but only the water authority has the authority to make any changes to the By-Laws. Mr. Miller stated that the people need to be served by the authority since new customers are buying a share of the water system. Mr. Eckstine stated that many water authorities serve several townships and that one person from each township serves on the authority.

Curtis Myers, ATBOS Chairman stated that one township employee may be out of a job if the sale goes

through.

Ken Womack, Borough Manager stated that the grant money we could receive is going to benefit both the Borough and the Township. Bob Schemmerling stated that the PA DEP supports consolidation of systems; they think of it geographically and the customers that are served in that area.

H. Duane Kinzer mentioned the budget and the fact that they can only budget taxes from new building lots since they can only tax the individuals. He emphasized that the current authority has a good group of individuals and we need to work together on this issue. Elwood Myers, ATMA Chairman, stated that we need industry to get the tax base up.

Rodney Eberly, ATMA Assistant Secretary/Treasurer, asked what percent of capacity the plant is currently operating at. Ken Womack, Borough Manager responded they are currently operating at 50% capacity or 800,000 gallons/day.

Fred Young, ATBOS Supervisor asked the GAFCWA about whether their board was working for economic growth. Mr. Miller responded that yes they are working towards economic growth and they would bring development where Township wants to build the extension. Young stated that we are all on board and development would bring tax relief.

Ken Womack stated that he would like Mr. Ross' letter to be entered into the official record. They are on a time line and the CFA would like an announcement by May 1<sup>st</sup>.

Bob Schemmerling stated that the grant money would benefit the infrastructure of the Township and that consolidation is the 1<sup>st</sup> priority. He feels that preference will be given to the authorities that wish to consolidate.

Brad Graham, Township Administrator asked Mr. Womack what the time frame was for the 3<sup>rd</sup> party assessment. Mr. Womack responded that a week to ten days was the time frame.

Fred Young stated that legal representation was a concern if we decide to proceed with the sale and we should have one Authority that represents the best interests of the customers. Due to the differences between the systems and the infrastructure; a merger needs to consider looking at new legal representation. Mr. Miller responded that the GAFCWA reviews engineers and legal representatives at the beginning of each year. Legal counsels' job is to give the Authority information on what could be defended in court. Several attorneys have given advice but ultimately it is the board's decision. Mr. Womack stated that currently 455 Township residents are being represented by the current Authority. The Authority's current attorney is looking out for the customer and the Authority.

Rodney Eberly stated that he has lived here his whole life and when he was presented with the idea of selling the Antrim Township water system, he was curious why the Borough Council has a position open on the current Authority since the end of the year and it has never been filled. He finds the time line a little sketchy.

A Miller/Myers motion passed 4-0 (Byers was absent) to endorse the sale of the Antrim Township Water Authority to the Borough of Greencastle.

A Miller/Myers motion passed 4-0 (Byers was absent) to adjourn the joint meeting at 6:36 p.m.

Respectfully Submitted,

Mary A. Klein

Secretary/Treasurer