

# **May 26, 2009 - Antrim Township Board of Supervisors**

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

### **REGULAR MEETING**

**May 26, 2009 7:00 p.m.**

The Antrim Township Board of Supervisors held a regular meeting on Tuesday, May 26, 2009 in the Antrim Township Municipal Building, 10655 Antrim Church Road, with the following present: Chairman Curtis Myers, Vice Chairman Rick Baer, and Fred Young III. Others attending included John Lisko, Solicitor; Brad Graham; Township Administrator, and Sylvia House, Zoning Officer. Supervisor Sam Miller, Supervisor James Byers and Peter Opplinger, Student Representative to the Board of Supervisors were absent from the meeting.

Visitors: See attached sign-in sheet for a list of visitors.

Chairman Myers called the meeting to order at 7:05 p.m. The meeting opened with prayer followed by the Pledge of Allegiance.

Chairman Myers called for Public Comment. Ron Skutch from Frederick, Seibert & Associates addressed the Supervisors regarding two lots located on Twin Drive. Under our previous zoning ordinances, these two lots were conforming lots at a size of approximately 40,000 square feet each. However they now want to add approximately 4,000 square feet from one lot to the other lot. Since the lots are nonconforming, any change to these lots would require them to be brought up to the current required square footage of 80,000 square feet. Mr. Skutch did not understand why he would have to go before the Zoning Hearing Board to apply for a variance at a cost of \$700.00 if the change would better the one lot. The Supervisors and Sylvia House, Zoning Officer relayed that one lot is becoming less conforming and one lot is becoming more conforming, but neither will conform to the current 80,000 square feet required in the AR Zoning District. Decisions of this nature are required to be made by the Zoning Hearing Board. The Board of Supervisors do not have the authority to make such a modification.

A Baer/Young motion passed 3-0 (Miller & Byers were absent from tonight's meeting) to approve the regular meeting minutes of May 12, 2009.

A Myers/Baer motion passed 3-0 (Miller & Byers were absent) to approve the payment of bills on the Treasurer's reports dated May 22 & 26, 2009.

A Baer/Young motion passed 3-0 (Miller & Byers were absent) to approve a waiver for Bonding under §48-6 Bonding requirements for the Lewis and Clark Circus since they have Liability insurance coverage for over \$100,000.00.

A Myers/Young motion passed 3-0 (Miller & Byers were absent) to approve a waiver exemption from Amusement Tax under §130 Amusement Tax for the Lewis and Clark Circus since the circus is going to be held at the Legion Grounds and the proceeds are going to the American Legion, a non-profit organization.

A Baer/Young motion passed 3-0 (Miller & Byers were absent) to approve a one-time only 180-day extension request for Kingsbrook Meadows, a 14-lot residential subdivision on McClanahan Road, to allow them additional time to pay the recreation fees and provide financial security due to the current economic conditions.

A Myers/Young motion passed 3-0 (Miller & Byers were absent) to conditionally approve a final plan for William Webster, a 6-lot residential subdivision on Shinham Road, with the condition that approval from DEP is received before the final plan is signed and recorded.

A Young/Baer motion passed 3-0 (Miller & Byers were absent) to approve a final plan for Lorraine Elliot, a 2-lot residential subdivision on Williamson Road.

A Myers/Young motion passed 3-0 (Miller & Byers were absent) to approve a Request from Planning Waiver – Non-Building Declaration to be sent to DEP for Lorraine Elliott, a 2-lot residential subdivision on Williamson Road.

A Baer/Young motion passed 3-0 (Miller & Byers were absent) to authorize advertisement of Amendment to Chapter 111 Pretreatment.

A Myers/Young motion passed 3-0 (Miller & Byers were absent) to authorize advertisement of Amendment to Chapter 110 Sewers.

A Young/Baer motion passed 3-0 (Miller & Byers were absent) to authorize a reduction in the bond amount per Martin & Martin's recommendation for Ron/Gene Ridge Road to \$18,117.00 as long as the bond is received prior to July 9, 2009.

A Myers/Young motion passed 3-0 (Miller & Byers were absent) to approve a bond in the amount of \$122,672.00 for Red Oaks Estates for the front portion of the development. The back portion of the development does not require financial security since they are not allowed to sell any lots as per the judge's ruling in the current litigation.

A Myers/Baer motion passed 3-0 (Miller & Byers were absent) to approve a 10% increase in the bonds for Rolling Hills PRD. The Stage 3 bond amount will increase from \$251,564.50 to \$276,720.95, the stage 4 bond amount will increase from \$412,376.80 to \$463,614.48 and the stage 5 bond amount will increase from \$858,495.00 to \$944,344.50. The new bond amounts must be received no later than noon on June 11, 2009.

A Baer/Young motion passed 3-0 (Miller & Byers were absent) to release a bond in the amount of \$100,533.00 per Martin & Martin's recommendation for Merle and Ethel Horst (Horstdale Farms).

A Myers/Young motion passed 3-0 (Miller & Byers were absent) to keep the bond amount the same for Melrose Meadows Phase III per Martin & Martin's recommendation in the amount of \$114,400.00.

Solicitor John Lisko addressed the Supervisors regarding work to be done at the Lehman Road culvert. He stated that 60% of the property is located in Guilford Township and only 40% is located in Antrim Township. He said that we could enter into an Inter-municipal government agreement for cost sharing to cover the costs of the work that needs to be done. Mr. Lisko has already contacted Jay Benedict, the solicitor for Guilford Township and he said they would most likely be willing to help with the costs to replace the culvert on Lehman Road.

Solicitor Lisko addressed the Supervisors regarding the Jessie Hykes lawsuit. In conversations that Lisko had with the plaintiff's attorney, all indications were that we would be released from the lawsuit since the road where the accident occurred is not maintained by the Township. However, we were just served with the complaint and the Township was listed in the lawsuit. Solicitor Lisko will be asking our claims adjuster, Randy Amos, at Penn National Insurance to assign an attorney for the Township to the case and have them file preliminary objections.

A Young/Baer motion passed 3-0 (Miller & Byers were absent) to authorize Sylvia House, Zoning Officer to sign any responses related to the Jessie Hykes lawsuit.

A Young/Baer motion passed 3-0 (Miller & Byers were absent) to authorize Curtis Myers, Chairman to

sign any paperwork related to the previous employee's lawsuit.

A Baer/Young motion passed 3-0 (Miller & Byers were absent) to authorize John Lisko, Solicitor to sign the settlement agreement for the Anvil International Tax Appeal.

Solicitor Lisko announced that he would need an Executive Session to discuss the Moss Spring Estates lawsuit.

Brad Graham, Township Administrator addressed the Supervisors regarding the progress on the replacement of the gas line at the Antrim Township Community Park. He stated that the part of the line that was being replaced at the road had to be re-routed due to a bad collar so the project will take a little longer than expected and there will be extra excavation that needs to be done.

Mr. Graham also addressed the Supervisors regarding the progress on the lift station generators. They are awaiting placement of the generators due to filling the propane tanks at the lift stations.

Mr. Graham also addressed the Supervisors regarding an update on the sale of the water system. He stated that the assessment of the Township's water system will begin tomorrow May 27, 2009.

Mr. Graham also addressed the Supervisors regarding the Grant Shook Road Box Culvert Replacement. He stated that the road will be closed starting June 8, 2009 to begin the work to replace the box culvert.

A Myers/Baer motion passed 3-0 (Miller & Byers were absent) to approve the final engineering for the Antrim Township Community Park Project from Frederick, Seibert and Associates in the amount of \$7,142.50. These fees are reimbursable from the DCNR grant the Township is going to receive for the park.

Mr. Graham also reported to the Supervisors that we have received 11 applications so far for the Summer Work program he is implementing for college students.

Mr. Graham also reminded the Supervisors about a breakfast and tour that the Lilian S. Besore library is sponsoring on Saturday, May 30<sup>th</sup> from 9:00 to 11:00 a.m. Curtis Myers, Chairman stated that he would attend the breakfast on behalf of the Township.

Mr. Graham also addressed the Supervisors regarding an update on the Digester Upgrade Proposal for the Sewer Plant. He stated that the engineering fees for the project would not be covered by the grant we might receive for the project from Penn-Vest, however we would qualify for a loan. Brinjac Engineering originally thought that the engineering fees would be covered by the grant that the Township applied for through Penn-Vest.

Mr. Graham addressed the Supervisors regarding the two insurance quotes we received from Kilmer Insurance Agency and Strickler Insurance Agency for the Township's Property, General Liability, Inland Marine, Automobile, Umbrella and Worker's Compensation insurance policies. The two agencies gave quotes from 2-3 insurance companies to provide the Township's insurance coverage. Mr. Graham recommended the quote from Kilmer Insurance Agency through Houston Casualty Insurance Company at an annual cost of \$97,863.00.

A Young/Myers motion passed 3-0 (Miller & Byers were absent) to approve the insurance quote received from Kilmer Insurance Agency through Houston Casualty Insurance Company at an annual cost of \$97,863.00 to handle the Township's Property, General Liability, Inland Marine, Automobile, Umbrella and Worker's Compensation insurance policies.

A Baer/Young motion passed 3-0 (Miller & Byers were absent) to approve the waiver of a sewer bill for Carol Homes for a property located at 769 Shook Court West, Greencastle, PA. The property previously was used as a temporary site for a sales trailer while the model home was under construction and the lot is now vacant.

A Myers/Young motion passed 3-0 (Miller & Byers were absent) to authorize Brad Graham, Township Administrator to administer the Township's Right-to-Know policy as necessary.

A Baer/Young motion passed 3-0 (Miller & Byers were absent) to adjourn the regular meeting into an Executive Session at 8:01 p.m.

A Baer/Myers motion passed 3-0 (Miller & Byers were absent) to come out of the Executive Session at 8:45 p.m.

Solicitor Lisko announced that the Moss Spring Estates lawsuit, the former employees' lawsuit and a personnel matter were discussed in the Executive Session.

A Young/Baer motion passed 3-0 (Miller & Byers were absent) to join the Worker's Compensation Trust through KMIT/Kilmer Insurance Agency and to authorize Curtis Myers, Chairman to sign the resolution to join the trust.

A Young/Baer motion passed 3-0 (Miller & Byers were absent) to authorize Township staff to sign the letter to the insurance broker for National Casualty to handle the public officials policy.

A Young/Baer motion passed 3-0 (Miller & Byers were absent) to adjourn the regular meeting at 8:48 p.m.

Respectfully Submitted,

Mary A. Klein

Secretary/Treasurer