

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

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

### **REGULAR MEETING**

**October 13, 2009 7:00 p.m.**

The Antrim Township Board of Supervisors held a regular meeting on Tuesday, October 13, 2009 in the Antrim Township Municipal Building, 10655 Antrim Church Road, with the following present: Chairman Curtis Myers, Vice Chairman Rick Baer Supervisors James Byers and Fred Young III. Others attending included Sylvia House, Zoning Officer, John Lisko, Solicitor and Brad Graham, Township Administrator. Supervisors Sam Miller and Peter Oppliger, Student Representative to the Board of Supervisors were absent from the meeting.

Visitors: Chris Beauregard from CEDG and see attached sign-in sheet for a list of other visitors.

Chairman Myers called the meeting to order at 7:02 p.m. The meeting opened with prayer followed by the Pledge of Allegiance.

Chairman Myers called for Public Comment.

Robert Wertime addressed the Supervisors regarding discussions about the Norfolk Southern and other land developments in that area and he has concerns about continuing air pollution problems from companies in the Township such as Tarco, the truck stops and Food Lion. He is concerned about air quality problems with the Norfolk Southern project. He wants to know what ATAPCO and Norfolk Southern will do about air pollution in the Borough of Greencastle since open burning is being banned in the Borough. He wants to know what will be done by representatives concerning the air quality. The Supervisors acknowledged his concerns.

A Baer/Byers motion passed 3-0 (Miller was absent & Young abstained) to approve as written the September 22, 2009 regular meeting minutes.

A Byers/Baer motion passed 4-0 (Miller was absent) to approve as written the October 6, 2009 regular meeting minutes.

A Baer/Young motion passed 4-0 (Miller was absent) to approve the bills on the Treasurer's reports dated October 13, 2009.

Chris Beauregard from CEDG addressed the Supervisors regarding the Green Spring Valley PRD. He is the Project Manager and Civil Engineer working with the Green Spring Valley PRD. In 2007 the plan was submitted for the first time and is now on its third submission. The plan at this stage consists of 200 acres and 549 units. There is also a community center proposed in the center of the development. They have received comments from the Township and will be presenting waivers to the Township. They have not yet gone to the Planning Commission but wanted to address the Supervisors first to see if they have any questions and to brief them on their modification requests. The general layout can not be altered and includes single family homes, duplexes and town homes. The first waiver Green Spring Valley PRD will be requesting concerns town homes that are fronting the alley and not the public street. Our ordinance requires that lots shall front on public streets. The second waiver they will be requesting concerns directional changes. The plan proposes to have a 380 foot radius for the semi-circle on Craig Road. Our ordinance requires a minimum radius of 500 feet for collector/commercial streets and 200 feet for residential streets. The third waiver they will be requesting involves street intersections. A pocket circle is in close proximity of other intersections. Our ordinance requires that streets shall not enter into the same side of the collector or commercial streets at intervals of less than 800 feet. The

fourth waiver they will be requesting involves the cartway. The plan has only allowed for a 20 foot cartway. Our ordinance requires that all streets shall have a minimum twenty-six foot paved cartway. Mr. Beauregard mentioned that the alleys will be maintained by the HOA and originally 554 units were approved but in order to maximize the amount of open space, they are only going to have 549 units because some setbacks were not accounted for on the original plan. Supervisor Byers questioned how the plan was approved and now we have these issues they are addressing today. Solicitor John Lisko replied that the original plan was approved with the condition that they comply with all subdivision ordinances. The Supervisors all acknowledged Mr. Beauregard's requests and stated they would need to be taken to the Planning Commission before being presented to the Supervisors for approval.

A Young/Baer motion passed 4-0 (Miller was absent) to approve an amendment to the Pentz Plan to swap impervious area. They will be removing two storage sheds and replacing them with one smaller storage shed in order to be able to pave the other areas of the site.

A Byers/Baer motion passed 4-0 (Miller was absent) to approve an amendment to the Paulmark plan to allow the cul-de-sac on Jasper Drive to be offset. The plan amendment needs to be signed by the Supervisors in order to record the approved changes.

Sylvia House, Zoning Officer addressed the Supervisors regarding a modification request of sanitary sewer easement for the Sheaffers. The Sheaffers own properties on the corner of Harshman Road and Kauffman road and each property will need to be served with grinder pumps in order to obtain public sewer. They are requesting a reduced easement width and usually a 20' easement would be required for each line. The ATMA recommended they share a 30' easement.

A Baer/Myers motion passed 4-0 (Miller was absent) to approve a modification of sanitary sewer easement for the Sheaffers to allow the properties to share a 30' easement where each line has a 10' separation between them and 10' to each side of the easement per the recommendation from the ATMA.

Sylvia House, Zoning Officer addressed the Supervisors regarding a modification request for Diller. Mr. Diller currently resides next to a property where he will be adding a business called Stich N Time. He currently has a well that he would like to share for both of the properties. He has agreed to put a deed restriction on the property requiring its own well if he ever sells either property.

A Myers/Byers motion passed 4-0 (Miller was absent) to approve the modification of § 125-18 (G) for Diller to allow a well to be shared between the residence and the business Stich N Time with the conditions that a note be placed on the plan and the deed requiring their own wells if either property is ever sold.

A Byers/Young motion passed 4-0 (Miller was absent) to approve a stormwater exemption from § 126-5 (A) for James and Donna Martin, a 1 lot residential addition on Marion Road.

A Young/Baer motion passed 4-0 (Miller was absent) to approve a final plan for David and Russell Friedrich, a 1 lot commercial addition on Williamsport Pike.

A Young/Byers motion passed 4-0 (Miller was absent) to approve a final plan for James and Donna Martin, a 1 lot residential addition on Marion Road.

A Myers/Baer motion passed 4-0 (Miller was absent) to approve a final plan for Michael Goulet, a commercial 1 lot addition on Buchanan Trail East for Fun Castle Karts & Amusements.

A Baer/Byers motion passed 4-0 (Miller was absent) to approve a 180-day extension request for WCN Properties, a commercial land development on Hykes Road to allow them additional time to consider roadway improvements.

A Young/Baer motion passed 4-0 (Miller was absent) to approve a Request from Planning Waiver –

Non-Building Declaration be sent to DEP for Michael Goulet, a commercial 1 lot addition on Buchanan Trail East for Fun Castle Karts & Amusements.

A Myers/Byers motion passed 4-0 (Miller was absent) to approve a Request from Planning Waiver – Non-Building Declaration be sent to DEP for James and Donna Martin, a residential 1 lot addition on Marion Road.

Sylvia House, Zoning Officer addressed the Supervisors regarding a letter we received from the Antrim Township Planning Commission regarding the Comprehensive Plan. She wanted to make them aware that a meeting has been scheduled with the Comprehensive Plan Committee to discuss the whole idea of reducing zoning districts. There will be a meeting scheduled with the AT Planning Commission and the Board of Supervisors to go over the outcome of this meeting before the Comprehensive Plan is actually changed. Ms. House is looking at a November/December time frame for this to be completed.

A Myers/Baer motion passed 4-0 (Miller was absent) to approved a certified check renewal in the amount of \$5,000.00 for WHGT, a Christian radio tower.

A Myers/Young motion passed 4-0 (Miller was absent) to approve a request for the use of the Rescue Hose Fire Police at a benefit for the Make-A-Wish foundation at Rhodes Grove Camp on Saturday, October 17th.

Township Administrator Brad Graham addressed the Supervisors regarding an ATAPCO/Penn-Dot assumption letter that is needed for the Exit 3 Interchange project off I-81 in conjunction with ATAPCO's Antrim Business Park project. The initial draft letter that we received from ATAPCO was reviewed by Solicitor Lisko and he thinks we need a different response. Solicitor Lisko presented the Supervisors with a proposed rough draft agreement to send to ATAPCO that would state that ATAPCO would pay all the costs associated with the project that will total approximately \$850,000.00.

A Byers/Baer motion passed 4-0 (Miller was absent) to approve the rough draft ATAPCO/Penn-Dot assumption agreement letter with Solicitor Likso's changes be sent to ATAPCO.

Township Administrator Brad Graham addressed the Supervisors to remind them about the Norfolk Southern meeting that will be held here at the Township Building on Friday, October 16th at 10:00 a.m. Graham also addressed the Supervisors regarding the Norfolk Southern support letter they are requesting on behalf of their grant request. The Supervisors would like to table this until Friday after we meet with representatives from Norfolk Southern.

Township Administrator Brad Graham addressed the Supervisors regarding approving preparing specs for additional Headworks repairs at the Waste Water Treatment Plant. The bar screen mechanism needs repairs with an estimated cost of \$50,000.00 - \$55,000.00. We received a proposal from Brinjac Engineering to prepare the specs and put the project out to bid for a cost of \$8,000.00. \$3,500.00 of the cost is to prepare the pre-bid specs and \$4,500.00 of the cost is to cover the construction period services. The working parts of the bar screen mechanism will be replaced and it would cost \$110,000.00 to replace the whole piece. Parkson, the manufacturer of the parts for the bar screen mechanism will oversee the project and Lynn Shatzer, the Sewer Plant operator can also oversee the project. The Supervisors have issues with the engineering costs from Brinjac Engineering for this project. They want to know why this was not included in the original bid for the Headworks project. Chairman Curtis Myers would like to write a letter to the Antrim Township Municipal Authority to solicit a new engineer next year. Solicitor Lisko advised the Supervisors that the repair project will cost over \$20,000.00 to install the parts so it has to be bid out. Administrator Graham mentioned that we would like to get an answer on this so that the contractor who is doing the compactor could bid on this project as well and we could possibly save some money. The Supervisors would like to negotiate the engineering costs down to between \$2,000.00 - \$3,000.00 with Brinjac Engineering and give Brad

authority to check with other engineers and to ask Brinjac why this wasn't included in the original specs. The Supervisors would like to table this item until Friday to give Administrator Graham time to get answers to their questions and to obtain additional information.

Administrator Graham addressed the Supervisors regarding an engineering proposal from P. Joseph Lehman, Inc. for Martin's Mill Bridge. The proposal includes a submission to the Pennsylvania Historical and Museum Commission and there has been a grant that was already approved but not yet released to the Township. It is believed that the grant is a reimbursable earmark but we can apply for a portion of the funds up front. The proposal for engineering from P. Joseph Lehman Inc. for the project is \$55,070.00 and includes determining any structural damage to the bridge and then putting the project out to bid. The Supervisors felt that the proposed amount was more than expected and would like to consider other options. The Supervisors feel that the Park Committee needs to review this and determine one of the following three options:

1. Only allow pedestrian traffic on the bridge.
2. Allow occasional vehicle traffic on the bridge.
3. Allow daily vehicle traffic on the bridge.

They feel that a mechanical engineer could go out and assess the situation and get some local input on the potential structural problems. The Supervisors would like to move forward with an insect report of the bridge. No motions were made on the matter at this time.

Administrator Graham addressed the Supervisors regarding Hepatitis C Screening for Volunteer Firefighters that is being required by our current Workers Compensation insurance carrier, Keystone Municipal Insurance Trust. They are asking that we pass a resolution requiring pre-employment screening for Hepatitis C for volunteer firefighters and ambulance personnel. The Supervisors were questioning who should pay for the testing and Administrator Graham said we can ask the fire company if they already perform Hepatitis C Screening. The thought was that the Township should probably pay for it.

Resolution #217: A Young/Baer motion passed 4-0 (Miller was absent) to approve the passing of a resolution to comply with the requirements of the Keystone Municipal Insurance Trust to implement mandatory Hepatitis C pre-employment screening for all

new emergency services employees and volunteer firefighters for the purpose of maintaining Workers Compensation coverage.

Secretary/Treasurer Mary Klein addressed the Supervisors regarding updating the Township's physician provider panel for Workers Compensation coverage since we have switched insurance carriers to Keystone Municipal Insurance Trust (KMIT). KMIT has prepared a new physician provider panel that was distributed to all of the Supervisors for review. Once the Township approves the physician provider panel, then a copy of it must be displayed at the Township building, the Sewer Plant and at the Rescue Hose Co. fire hall so that all employees and volunteers have access to the information in the event of a work-related injury. The Physician Provider Panel lists family practices, hospitals and other specialty physicians that must be used within the first 90 days by an employee/volunteer to seek medical treatment for a work-related injury. After the initial 90 days, then the employee/volunteer can choose their own physician for treatment.

A Myers/Baer motion passed 4-0 (Miller was absent) to approve the Physician Provider Panel prepared by Keystone Municipal Insurance Trust in accordance with the Township's Workers Compensation insurance coverage. (See attached copy)

Administrator Graham addressed the Supervisors regarding approving an agreement with Crystal Clarke since they approved her as legal counsel for labor-related matters for the Township. The agreement states her fees for services with her general legal fee being \$175.00/hour. Solicitor Lisko advised the Supervisors that an agreement for her fees needs to be signed since she will only be assisting the Township with any personnel or labor-related matters we consult with her on.

A Byers/Young motion passed 4-0 (Miller was absent) to approve the signing of an agreement for legal fees for services with Crystal Clarke as labor attorney for the Township.

Administrator Graham addressed the Supervisors regarding the plans for the Talhelm Road Box Culvert. He wants to know if they want to move forward with Bill Kick from Martin & Martin to prepare the bid specs, etc. The Supervisors agreed they would hold off on this project until spring of next year.

Administrator Graham addressed the Supervisors about an update on the computer bids. A company is coming to the Township tomorrow to do an assessment of the Township's computer equipment needs so they can be placed in the bid specs.

Administrator Graham addressed the Supervisors regarding the concession stand for the Antrim Township Community Park project. He needs to know if they want to move forward with a concession stand or remove it from the project. The Supervisors would like to table this item until Friday when all of the Supervisors will be present.

Secretary/Treasurer Mary Klein addressed the Supervisors regarding the Minimum Municipal Pension Obligation payment for the pension plan for the 2010 plan year. A copy and memo of the minimum obligation payment was e-mailed to the Supervisors prior to the meeting for their review. The payments only needs to be made next year but it must be approved by the Supervisors before it is paid.

A Myers/Baer motion passed 4-0 (Miller was absent) to approve the payment of the Minimum Municipal Pension Obligation for the 2010 plan year in the amount of \$51,917.00 to be paid before December 31, 2010.

Secretary/Treasurer Mary Klein addressed the Supervisors regarding the Proclamation that she prepared to honor 14-year old resident Connor Weiss per a recommendation from the Rescue Hose Fire Company for a house fire that occurred in July 2009. The Supervisors approved the preparing of the proclamation at a prior meeting but said they would approve the proclamation once it was prepared at a future meeting.

A Baer/Byers motion passed 4-0 (Miller was absent) to approve the signing of a proclamation that was prepared to honor 14-year hold resident Connor Weiss per a recommendation from the Rescue Hose Fire Company for a house fire that occurred in July 2009.

Secretary/Treasurer Mary Klein addressed the Supervisors regarding a rate increase for 2010 for Secure RX, the Township's prescription drug program for Seniors. There is currently only one retiree of the Township enrolled in the prescription drug program and the whole amount of the premium is reimbursed by them to the Township. Klein stated that she has forwarded the information to the retiree to see if they wish to continue with the coverage due to the increase. The current premium for the Secure RX prescription coverage is \$126.00 a month and it is increasing to \$145.60 a month in 2010. No motion was necessary by the Supervisors on this item.

Secretary/Treasurer Mary Klein announced several meeting dates to the public and the Supervisors regarding some upcoming meetings and events. She announced the first meeting of the Earned Income Tax Committee that is being held on Thursday, October 29<sup>th</sup> at 7:00 p.m. in the Franklin County Administration Annex building in Chambersburg. She also announced the 2009 Annual Municipal

Health Care Benefits Seminar being held on November 13, 2009 at the Four Points Sheraton in Harrisburg. Finally she announced the Fall Convention Meeting for the Franklin County Association of Townships that is being held on Thursday, October 22<sup>nd</sup> at 6:30 p.m. in the Special Events Center. Attendees to this event will include Chairman Curtis Myers, Supervisors Rick Baer and Fred Young III, Administrator Brad Graham and Secretary/Treasurer Mary Klein.

Under New Business Supervisor Fred Young III addressed the rest of the Supervisors regarding a discussion he would like to have about the Township's retirement plan. He would like us to consider the pros and cons of a defined benefit versus a defined contribution plan. Solicitor Lisko recommended contacting Len Ferrera who advises some other Townships on pensions. Young stated that he knows a local Chamber of Commerce member who works for a local financial advisor. He would like to have them come to Tuesday's worksession to discuss our retirement plan options and it should only take 20 minutes.

Supervisor James Byers mentioned that he has the name of a potential auditor to take Henry Carbaugh's place but he needs to talk some more with them to see if they are really interested in holding the position. He also stated that we should review the list of other upcoming appointments for 2010.

A Baer/Young motion passed 4-0 (Miller was absent) to adjourn into Executive Session at 9:14 p.m.

A Baer/Young motion passed 4-0 (Miller was absent) to come out of Executive Session at 9:50 p.m.

Solicitor Lisko announced that personnel and the potential of pulling a bond were discussed in the Executive Session.

A Myers/Young motion passed 4-0 (Miller was absent) to adjourn the regular meeting at 9:50 p.m.

Respectfully Submitted,

Mary A. Klein

Secretary/Treasurer