

April 27, 2010 - Antrim Township Board of Supervisors

MINUTES OF THE ANTRIM TOWNSHIP SUPERVISORS

REGULAR MEETING

April 27, 2010 7:00 p.m.

The Antrim Township Board of Supervisors held a regular meeting on Tuesday, April 27, 2010 in the Antrim Township Municipal Building, 10655 Antrim Church Road, with the following present: Chairman Rick Baer, Supervisors Fred Young III, Sam Miller and James Byers. Others attending the meeting included John Lisko, Solicitor; Brad Graham, Township Administrator; Peter Oppliger, Student Representative to the Board of Supervisors and Sylvia House, Zoning Officer. Vice Chairman Curtis Myers was absent from the meeting.

Visitors: See attached list.

Chairman Baer called the meeting to order at 7:03 p.m. The meeting opened with a word of prayer followed by the Pledge of Allegiance.

Chairman Baer called for Public Comment – there was none.

A Miller/Byers motion passed 4-0 (Myers was absent) to approve as written the April 13, 2010 regular meeting minutes.

A Miller/ Young motion passed 3-0 (Myers was absent & Byers abstained) to approve as written the April 21, 2010 special meeting minutes.

A Miller/Byers motion passed 4-0 (Myers was absent) to approve the bills on the Treasurer's reports dated April 27, 2010.

Sylvia House, Zoning Officer addressed the Supervisors regarding a modification request from ATAPCO regarding a Traffic Impact Study. ATAPCO is requesting to be released from considering the Augusta Group in their Traffic Study. The Augusta Group traffic study was received just after ATAPCO's Traffic Study and typically we require all developments to consider each other when received in such close proximity. ATAPCO does not want to consider the Augusta Group Traffic Study in their project.

A Miller/Young motion passed 4-0 (Myers was absent) to approve the modification request from ATAPCO to not consider the Augusta Group in their Traffic Impact Study.

Solicitor John Lisko addressed the Supervisors regarding the Exit 3 Agreement with ATAPCO. We originally agreed to require ATAPCO to submit a \$5M dollar letter of credit/bond for the project. ATAPCO has agreed to name the Township as an additional insured on their \$10M dollar liability insurance policy and provide us with a \$2M dollar bond until the project is awarded. Once the project is awarded, the bond would be reduced to \$1M dollars. ATAPCO will also give us \$50,000.00 to be placed in an Escrow account to cover the Township's soft costs.

A Miller/Young motion passed 4-0 (Myers was absent) to approve changing the requirement for ATAPCO to submit a \$5M dollar bond to the Township to allowing them to name the Township as an additional insured on their \$10M dollar liability insurance policy and provide us with a \$2M dollar bond until the project is awarded. Once the project is awarded, the bond would be reduced to \$1M dollars. ATAPCO will also give us \$50,000.00 to be placed in an Escrow account to cover the Township's soft costs.

Solicitor Lisko also addressed the Supervisors regarding the traffic lights that will be part of the Exit 3

project. We originally were going to require ATAPCO to pay for the construction and maintenance cost of the traffic lights. However, ATAPCO is agreeing to pay for the construction costs but has requested to only be required to pay for the maintenance costs for a period of ten years after the light is installed or the project is completed, whichever is later. ATAPCO has offered to pay its fair share of the maintenance costs after the ten year period. ATAPCO would like us to require future businesses that come in to make them pay their fair share towards the maintenance costs of the traffic light. Pat Coggins from ATAPCO who was present at tonight's meeting mentioned the fact that when a subdivision goes in and they are required to pay the maintenance costs that they are increasing Township revenues. Solicitor Lisko does not know if we can force another developer to pay their fair share towards the traffic light.

A Miller/Byers motion passed 4-0 (Myers was absent) to require ATAPCO to pay the maintenance costs of the traffic light that is part of the Exit 3 project indefinitely unless we are legally able to require another future developer to pay their fair share.

There was also a discussion at this time to revise the agreement with ATAPCO to provide that there are certain items that ATAPCO cannot do on their own such as Right-Of-Way agreements for those who do not want to sign the agreement. In this case, the Township could exercise their power of Eminent Domain. ATAPCO will pay for all of these items on a case by case basis.

A Miller motion died for lack of a second to address the issues in the ATAPCO agreement.

Miller rescinded the previous motion and Solicitor Lisko advised that we will go over this once the agreement is prepared.

Sylvia House, Zoning Officer addressed the Supervisors regarding a Plan Amendment for Timothy Hykes. A title search was done on the property and found additional owners that did not sign the original plan and one of these owners is now deceased. The plan will need to be amended to address these issues.

A Miller/Byers motion passed 3-0 (Myers was absent & Young left the room) to authorize Chairman Baer to sign the Plan Amendment for Timothy Hykes once it is prepared.

Sylvia House, Zoning Officer addressed the Supervisors regarding the Milton & Juanita Strite plan that was tabled from the last meeting because a postcard from DEP had not been received. Ms. House acknowledged that in error she handed out this plan to the Supervisors for signature and it had not yet been approved. She also realized after talking with DEP that the postcard information for this plan was included on the same postcard for the Garnet Strite plan. She needs the Supervisors to approve the Milton & Juanita Strite plan retroactive to April 13, 2010.

A Miller/Young motion passed 4-0 (Myers was absent) to approve a final plan for Milton & Juanita Strite, a 1 lot subdivision on Greenmount Road, retroactive to April 13, 2010.

Sylvia House, Zoning Officer addressed the Supervisors regarding a call that she received from the 911 Call Center about Long Lane Road. The 911 Call Center only has the name as Long Lane and they would like us to re-name the road to just Long Lane. The Post Office, Tax Office and the 911 Call Center all have the road as Long Lane. Ms. House researched the road and there are 130 properties and 11 residences on this road.

A Baer/Miller motion passed 4-0 (Myers was absent) to make the County fix their records and do nothing in regards to Long Lane Road.

A Miller/Young motion passed 4-0 (Myers was absent) to renew the bond for another year for Antrim Commons in the amount of \$772,603.70 since the project has not started yet and the bond does not expire until May 7, 2011.

A Miller/Young motion passed 4-0 (Myers was absent) to renew the bond for Moss Springs Estates in the amount of \$162,228.00 as long as the new bond is received no later than noon on May 10, 2010.

A Young/Miller motion passed 4-0 (Myers was absent) to renew the bond for Shadow Creek in the amount of \$60,500.00 since the developer does not wish to decrease the amount of the bond even though some additional construction was done.

Brad Graham, Township Administrator addressed the Supervisors regarding a Budget review for the first quarter 2010. Mr. Graham did a review of the General Fund and noted that the Local Taxes show that almost 25% has been collected and the total General Fund revenues show that 14% has been collected. The General Fund revenues may be down slightly since some of the revenues don't get collected until later in the year. A review of the General Fund expenditures where Mr. Graham noted under Legislative Body – Computer Software/Support that 124% has been spent so far this year. This is due to the fact that the computer support proposal from Global Data came in higher than budgeted. Mr. Graham also noted that under Highway Costs – Snow Removal that we budgeted \$29,500.00 and we spent \$65,799.00 due to the bad weather we had to deal with this winter. In order to recover some of these costs, we will pave one less road than planned and we could also receive reimbursements from FEMA and PEMA. Also, under Misc Expenditures/Expenses – Unemployment Tax, Secretary Mary Klein noted that an increase in the Employer Contribution Rate for Unemployment Tax went from 1% to 9.5% on the first \$8,000.00 an employee earns and we were not notified of this increase until after the budget was already done. The total General Fund expenditures show that 15% has been spent and the total General Fund balance is (\$54,652.50) and it was noted that the majority of the revenues will come later in the year. Mr. Graham reviewed the Special Revenue – Landfill fund and on the Revenue side under Sanitation, 24% has been received so far even though the Landfill is reporting that tipping fees are lower than normal. Mr. Graham also reviewed the Sewer fund and noted that total revenues collected were at 23% and total expenditures were at 25%.

Brad Graham, Township Administrator addressed the Supervisors regarding a proposal that was received from Brinjac Engineering for Sewer Lining work at Willowdale. Last year this same type of work was done on Scar Hill Road. Mr. Graham found discrepancies with Brinjac's proposal. The first estimate to do the work was \$35 - \$40K and the latest proposal is for \$33,825.00. However, the amount of lines that need to be done at Willowdale are half of what was done on Scar Hill Road. Mr. Graham mentioned that another option we have is to get another quote from another engineer. The Supervisors gave direction to Mr. Graham to obtain quotes from another engineer for this project.

Brad Graham, Township Administrator addressed the Supervisors regarding repairs that need to be done to the boiler at the Township building. A local plumbing/heating company came in and looked at the boiler and a valve and gasket need to be replaced with an estimated cost of \$1,454.54. Mr. Graham just wanted the Supervisors to be aware that we were having this work done.

Brad Graham, Township Administrator addressed the Supervisors regarding an arbitrage rebate calculation that needs to be done for our 2005 Series Sewer Bond. The Bond issue requires this calculation to be done every five years. A consultant must be used to do this calculation and Mr. Graham has received a quote from PFM and Eckert-Seamans to perform the calculation. Mr. Graham is recommending that we accept the lowest quote from PFM to do the arbitrage rebate calculation at a cost of \$2,500.00.

A Young/Miller motion passed 4-0 (Myers was absent) to approve using PFM to perform the arbitrage rebate calculation on the 2005 Series Sewer Bond at a cost of \$2,500.00.

Brad Graham, Township Administrator addressed the Supervisors regarding a sewer bill waiver request that was received from Norfolk Southern for a house that is being demolished on Hykes Road. This request was taken to the Antrim Township Municipal Authority and they recommended that the bill for

January – March 2010 must be paid. They must also cap the line and have it inspected within three months to receive the waiver of future sewer bills.

A Miller/Byers motion passed 4-0 (Myers was absent) to approve the sewer bill waiver request from Norfolk Southern for a house that is being demolished on Hykes Road per the recommendation from the ATMA. Norfolk Southern must pay the bill for the January – March 2010 billing period. They must also cap the line and have it inspected within three months to receive the waiver of future sewer bills. If the line is not terminated the waiver will not be granted.

Brad Graham, Township Administrator addressed the Supervisors regarding the bid for mowing services that was awarded at the last meeting. There is a disparity between the two mowing bids that were received of more than 10% so the bonding company will not give the lowest bidder, Tuscarora Landscaping bonding. The Township has received a bid bond from Tuscarora Landscaping in the form of a certified check. Mr. Graham said we have the option to forego the Payment and Performance Bond and hold the Bid Bond. The risk to the Township would be minimal because he wants to perform the work. However, Solicitor Lisko noted that State law requires that financial security must be for the full amount of the contract if the bid goes over \$10,000.00. The cashier's check that was received is only for \$2,300.00. Solicitor Lisko recommended that a letter for Notice of Award should be sent to Tuscarora Landscaping giving them seven days to provide financial security, either in the form of a bond or a Letter of Credit or they will lose their bid bond in the amount of \$2,300.00 and the Township would keep the funds and either re-bid out the mowing services or have Township staff do the work in-house.

Secretary Mary Klein addressed the Supervisors regarding plan amendments that need to be done to our Health Plan Documents due to the recent Health Care Reform changes. Some of the changes required deal with minimum hospital stay notices for maternity services, coverage for college students who must withdraw from school due to illness or injury to stay on the plan for up to one year, language added to allow employees to enroll or leave the medical plan when they become eligible or lose coverage under Medicaid or CHIP, HIPAA wording added to indicate a breach of unsecured data must be reported to affected individuals, nutritional counseling services are now available for adults, hospice benefits are now provided for residential treatment only and the preauthorization list was modified by CBC. The plan amendments apply to both the Township's Medical plan and the Health Reimbursement Account (HRA) plan documents.

A Miller/Byers motion passed 4-0 (Myers was absent) to approve the plan amendments to the Township's Medical and Health Reimbursement Account plan documents due to the recent Health Care Reform changes.

Brad Graham, Township Administrator addressed the Supervisors regarding requests that were received by various organizations to use the Antrim Township Community Park for various events. The organizations that requested use of the park are Pack #287 Cub Scouts to launch off Estes rockets and aqua pod rockets; Greencastle Cub Scouts for a day camp and the American Youth Soccer Organization for a soccer camp.

A Miller/Young motion passed 4-0 (Myers was absent) to approve the requests for the use of the Antrim Township Community Park by Pack #287 Cub Scouts to launch off Estes rockets and aqua pod rockets; Greencastle Cub Scouts for a day camp and the American Youth Soccer Organization for a soccer camp.

Another request was received from the Greencastle American Youth Soccer Organization for permission to set up a trailer to sell drinks and snacks during soccer games. Solicitor Lisko advised the Supervisors that our Ordinance provides that the Township may issue a permit for the sale of refreshments and retail items.

A Young/Miller motion passed 4-0 (Myers was absent) to authorize the Greencastle American Youth Soccer Organization to set up a trailer to sell drinks and snacks during soccer games, however the Township will not be liable in any manner for the trailer or it's contents whatsoever.

Brad Graham, Township Administrator addressed the Supervisors regarding the awarding of the 2010 Park Facilities Grants. A list of the amounts requested by each organization and the amount that was recommended by the Antrim Township Park Committee was included in a packet that was distributed to the Supervisors. There was a discussion about the request from Shady Grove Improvement Association since they returned the grant money that was awarded to them last year. Supervisor Young discussed the option of having the Township haul the sand for them or talk with them and see if the requested amount could be lowered.

A Young/Miller motion passed 4-0 (Myers was absent) to award the Park Facilities Grants in the amount of \$27,020.00 as recommended by the Antrim Township Park Committee with the exception of the Shady Grove Improvement Association request and review that request at a later date. The Park Facilities Grants awarded are as follows:

Organization Name Amount Awarded

State Line Youth League \$1,500.00

State Line Ruritan Club \$4,500.00

Kauffman Ruritan Community Ctr \$5,320.00

G-A Midget Football Association \$2,000.00

Greencastle-Antrim YMCA \$3,250.00

Jerome R. King Playground Assoc. \$3,000.00

Greencastle-Antrim Soccer Assoc. \$2,000.00

Greencastle-Antrim Baseball/Softball Assoc. \$2,000.00

Greencastle-American Youth Soccer \$1,450.00

American Legion Grounds \$2,000.00

Totals \$27,020.00

Secretary, Mary Klein addressed the Supervisors regarding a phone call she received from Pennsylvania Municipal Retirement System (PMRS) regarding additional changes that we could make to the Township's pension plan along with the change we are making to not allow part-time employees to participate in the plan. The suggested changes from PMRS would be to increase the member's maximum rate of contribution of optional annuity from the current maximum of 15% of employee compensation to 20% of employee compensation and to add an Option IV Survivor Benefit that would allow the member to receive their contributions and regular credited interest in a lump sum as opposed to in the form of an additional member annuity. The member would then receive a retirement benefit based on the remaining municipal annuity and any excess interest. If the Supervisors chose to make these additional amendments to the pension plan, it would need to be passed by Ordinance at a future meeting.

A Miller/Byers motion passed 4-0 (Myers was absent) to approve adding the PMRS suggested pension plan amendments to increase the member's maximum rate of contribution of optional annuity from the current maximum of 15% of employee compensation to 20% of employee compensation and to add Option IV Survivor Benefit that would allow the member to receive their contributions and regular credited interest in a lump sum as opposed to in the form of an additional member annuity. The member

would then receive a retirement benefit based on the remaining municipal annuity and any excess interest.

Brad Graham, Township Administrator addressed the Supervisors regarding a bid that was put out for the rental of the Township property on Route 11 for farming purposes. We only received one bid from Jason Johns with a bid of \$800.00 for the first year, \$1,000.00 for the second year and \$1,000.00 for the third year.

A Young/Miller motion passed 4-0 (Myers was absent) to approve the bid for the rental of the Township property on Route 11 for farming purposes to Jason Johns in the amount of \$800.00 for the first year providing all insurance coverage is provided by Mr. Johns to the Township.

Secretary, Mary Klein addressed the Supervisors regarding a notice that was received from Keystone Municipal Insurance Trust (KMIT), the Township's Workers Compensation insurance company for their annual meeting that will be held on Wednesday, May 20, 2010 in Gettysburg. Ms. Klein encouraged the Supervisors to let her know if they would like to attend the meeting.

Supervisor Young noted that he has received comments from several people who like the Antrim Township Community Park due to the recent renovations that were done there. Administrator Graham added that we will be show casing the ATCP at an upcoming G-A Chamber breakfast and a bus tour during Old Home Week will be going by the park.

Chairman Baer called for public comment. Resident Bob Smith asked about the trailer that the AYSO will be putting out at the park and whether or not it will have electric or water hook-up and wondered about the trash clean up. Administrator Graham addressed Mr. Smith and stated that there are already cans out at the ATCP that the AYSO already helps maintain and that there would be no hook-up for electric or water to the trailer.

A Miller/Young motion passed 4-0 (Myers was absent) to adjourn the regular meeting at 8:36 p.m.

Respectfully Submitted,

Mary A. Klein

Secretary