

# **March 9, 2010 - Antrim Township Board of Supervisors**

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

### **REGULAR MEETING**

**March 9, 2010 7:00 p.m.**

The Antrim Township Board of Supervisors held a regular meeting on Tuesday, March 9, 2010 in the Antrim Township Municipal Building, 10655 Antrim Church Road, with the following present: Chairman Rick Baer, Vice Chairman Curtis Myers, Supervisors Fred Young III and Sam Miller. Others attending included John Lisko, Solicitor, Brad Graham, Township Administrator, and Sylvia House, Zoning Officer. Supervisor James Byers and Peter Oppliger, Student Representative to the Board of Supervisors were absent from the meeting.

Visitors: See attached list.

Chairman Baer called the meeting to order at 7:05 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 Myers/Young motion passed 3-0 (Miller abstained & Byers was absent) to approve as written the February 23, 2010 regular meeting minutes.

A Myers/Miller motion passed 4-0 (Byers was absent) to approve the bills on the Treasurer's reports dated March 9, 2010.

A Miller/Young motion passed 4-0 (Byers was absent) to approve a modification request from §125-45(R)(2) for Antrim Commons Business Park and allow a larger cul de sac to be constructed without the center island and inlet as long as a snow easement is provided.

A Miller/Young motion passed 4-0 (Byers was absent) to approve a modification request from §125-45(C) for Greenspring Valley to allow them to use a 24' cart way for one-way streets instead of the 26' required by the ordinance.

A Miller/Young motion passed 4-0 (Byers was absent) to approve a modification request from §125-45(Q) for Greenspring Valley to allow them to use a 75' curve radius instead of the required minimum 200' curve radius to connect Bella Ave to Pocket Circle.

A Miller/Baer motion passed 4-0 (Byers was absent) to approve an exemption from Amusement Tax for Crossroads Church for their Winter White-Out Festival being held on Saturday, March 6, 2010 since they are a non-profit organization.

A Myers/Miller motion passed 4-0 (Byers was absent) to approve a 90-day extension request for Michael & Lisa Gross, a 1-lot addition on Milnor Road, to allow additional time for a Zoning Hearing they are requesting on the property.

A Myers/Young motion passed 4-0 (Byers was absent) to approve a 180-day extension request for Antrim Commons Business Park, Phase I amended and Phase II, Rt. 11/Commerce Ave. to allow additional time for the Planning Commission to take action on the plan.

A Young/Miller motion passed 4-0 (Byers was absent) to approve a 180-day extension request for Frank Thomas, a commercial land development plan on Route 11, to allow additional time for the Planning Commission to take action on the plan.

A Miller/Young motion passed 4-0 (Byers was absent) to approve a Sewer Facilities Planning module

exemption request to be sent to DEP for Cedar Grove Mennonite Church since they are already connected to public sewer and are only adding an addition onto the church and expanding their parking lot.

Sylvia House, Zoning Officer addressed the Supervisors regarding two Zoning Hearings that are coming up and she requested direction on how she should represent the Township. The first Zoning Hearing is for Michael & Lisa Gross for a property on Milnor Road. The lot according to our current ordinance is undersized and they are proposing to remove 2,329.8 square feet to dedicate for a future cul-de-sac in the event that Milnor Road is closed over the railroad tracks. The Supervisors acknowledged that she should not oppose the variance request. The second Zoning Hearing is for LAJUGA LLC on North Rabbit Road pertains to agreements to be used to supplement the property lines for mining rights on surrounding properties. The Supervisors directed Sylvia not to oppose this variance request.

Sylvia House, Zoning Officer also addressed the Supervisors regarding the Zoning Discussion from the March 4, 2010 worksession meeting. She thought the meeting went well but would like to move forward with another meeting and have a revised Zoning map based on the input from residents, etc. from the meeting. Supervisor Young stated that he would like to have the Planning Commission at this meeting. The Supervisors agreed to schedule another worksession meeting for March 18, 2010 at 6:00 p.m. in the Township building.

A Miller/Myers motion passed 4-0 (Byers was absent) to accept a new certified check in the amount of \$5,000.00 from WHGT Christian Radio that was received today.

A Miller/Myers motion passed 4-0 (Byers was absent) to reduce the Letter of Credit for Paulmark Phase V from \$86,515.00 to \$59,100.00 as long as the new Letter of Credit is received by noon on April 20, 2010.

A Miller/Baer motion passed 4-0 (Byers was absent) to keep the Letter of Credit for Greens of Greencastle Phase V at the same amount of \$54,120.00 as long as the new Letter of Credit is received by noon on April 30, 2010.

Brad Graham, Township Administrator addressed the Supervisors regarding the 2009 paving project done by Fayetteville Contractors that revealed an overcharge due to a wrong Penn-Dot formula that was used for the Asphalt Adjustments. The Liquid Fuels portion of the overcharge was paid back by Fayetteville Contractors in the amount of \$32,674.35 on December 31, 2009. However, there is an additional amount due back to the General Fund in the amount of \$9,829.28. Fayetteville Contractors is requesting consideration for paying this amount back due to additional costs that they incurred because the project went over the expected completion date. They are asking for consideration of \$4,446.43 in additional costs that were incurred for bonding and sales tax. They are also asking for additional consideration for liquidated damages relating to the contract being extended beyond the original time frame because the roads were not ready for them to pave.

A Myers/Miller motion passed 4-0 (Byers was absent) to approve waiving the 2009 paving project overcharge amount of \$4,446.43 for additional costs that were incurred by Fayetteville Contractors with the condition that the remaining \$5,382.85 from the overcharge be paid back to the Township by Fayetteville Contractors.

Brad Graham, Township Administrator also addressed the Supervisors regarding the approval of an engineer for the Sewer system. Chairman Baer stated that he spoke with Dave Brinjac and he would like to stay on for one more year. Supervisor Young stated that he thinks we should stay with Brinjac for any existing projects and any new projects should be put out to other engineers. Steve Zeller, Brinjac Engineering addressed the Supervisors regarding construction services that are always

recommended to the Township because previous staff always handled it before. Vice Chairman Myers addressed Mr. Zeller regarding the fact that Brinjac signs off on our Sewer system and it was found that thirteen generators were not working. Supervisor Young also mentioned the fact that we had to ask for detailed billing from Brinjac back in October/November of 2008.

A Miller/Baer motion passed 3-1-0 (Young opposed & Byers was absent) to approve Brinjac Engineering as the Township engineer for Sewer for one more year.

Brad Graham, Township Administrator addressed the Supervisors regarding implementing a "Pumping/Site Fee" to be paid by waste haulers to increase our revenue for the On-Lot program. This would be a fee of \$5.00 per pumping.

A Baer/Miller motion passed 4-0 (Byers was absent) to not implement a "Pumping/Site Fee" to be paid by waste haulers for the On-Lot program.

Brad Graham, Township Administrator told the Supervisors about a letter that was received from the fire department thanking the Township for assisting with snow removal this winter. Mr. Graham also mentioned that he spoke with Marty Malone and he is still waiting for approvals and views from Penn-Dot for the Martin's Mill Bridge project.

Mary Klein, Township Secretary addressed the Supervisors regarding the 2010 Park Grants that were budgeted for this year. We are looking for approval from the Supervisors to send out the Park Grant letters to the previous parks and organizations who received grants in the past. The amount that was budgeted for 2010 is \$32,000.00.

A Miller/Myers motion passed 4-0 (Byers was absent) to approve sending out the 2010 Park Grant letters for the \$32,000.00 this is budgeted for this year.

Mary Klein, Township Secretary addressed the Supervisors regarding HIPAA Privacy and Security Documents that need to be updated. The Township needs to appoint a Township employee to serve as Privacy Officer and Security Officer to comply with the HIPAA regulations and have these duties added to their job description.

A Myers/Miller motion passed 4-0 (Byers was absent) to appoint the Township Secretary as the Privacy and Security Officer to comply with HIPAA regulations and have these duties added to her job description.

A Miller/Myers motion passed 4-0 (Byers was absent) to adopt the Security Policy to comply with HIPAA Privacy and Security regulations.

A Miller/Myers motion passed 4-0 (Byers was absent) to adjourn into Executive Session at 8:19 p.m.

The Executive Session ended and the regular meeting resumed at 9:03 p.m. Supervisor Miller left during the Executive Session.

Solicitor Lisko announced that the Executive Session was to discuss personnel matters.

A Young/Myers motion passed 3-0 (Byers & Miller were absent) to grant Administrator Graham the authority to compose an advertisement for the addition of one full-time employee to the Road Crew and advertise this position at his discretion.

A Young/Myers motion passed 3-0 (Byers & Miller were absent) to create a job description and advertisement for the full-time position of Public Works Director and to advertise this position at his discretion.

A Young/Baer motion passed 3-0 (Byers & Miller were absent) to adjourn the regular meeting at 9:05 p.m.

Respectfully Submitted,

Mary A. Klein

Secretary