

ATHENS TOWNSHIP SUPERVISORS
July 26th, 2023 5 PM Regular Meeting

Vice Chairwoman Kirstie Lake called the meeting to order at 5:13 PM. Supervisors also present were Bonnie Petruschak and Christine Vough. Alan Burgess and Tressa Heffron were not in attendance. Solicitor John Thompson, secretary Michelle Rude, treasurer Ruth Casterline, and Chuck Wright were also in attendance. Kirstie lead everyone in the Pledge of Allegiance.

Voice of the Residents: Alice Bennett of 5626 Mile Lane Road asked the board to look into getting a sign for the corner of Lamoka and Mile Lane Road indicating where the healthcare center and the man camp are. She stated that she and her neighbors have several people that turn around in their driveways unable to locate these buildings and feels a sign would be helpful in getting them to their respective destinations. She wanted to thank the road crew for doing a beautiful job on her road and she also stated to the board that she wasn't thrilled with the mine going in her backyard. Kirstie thanked her and stated that the board could look into getting a sign in place.

Eileen Sparduti of 972 Meadowlark Drive wanted to know if the zoning and conditional use issue with the Bishop Brothers Mine had been resolved. Solicitor Thompson expressed that it had not as the first opportunity the board has had to address it would be tonight's meeting.

Marion Carling presented maps for the Bradley, Valerie/Merrill, Melvin 2-lot subdivision located on Reagan Road. She then deferred to Bruce Benish to explain the plan to the board. Bruce explained that they did request a Form B from sanitation and were waiting to receive it, otherwise all other deficiencies had been met.

On motion of Kirstie, second by Bonnie, motion passed to approve the plan contingent upon receiving the executed Form B from sanitation and the easement for the shared well being put in the deed.

Bryan Farr presented the fire report and introduced Jeremy Hogan to the board to present a sign proposal for the township, fire department, and police department to potentially collaborate to purchase. Jeremy presented 4 options that the supervisors will take under consideration. As this was the first the board was hearing of this, there are several things to work out prior to moving forward. Michele Browning presented the Parks Commission report and Chuck Wright presented the Public Works Dept. report. All reports are on file with the township.

Chris Jones, along with Tim Gourley and Dustin Bishop, wanted to address the questions raised within the community in the decision of the February 24th, 2021 Conditional Use Hearing regarding the Bishop Brothers Mine on the Minard Property. Chris stated that there was an oversight in the zoning for the hearing as they had listed the property zoned as all agricultural when it in fact is zoned both agricultural and woodland conservation district. He pointed out that this oversight doesn't impact the outcome as the process would have remained the same for the woodland conservation district as it did for the agricultural district. He asked that the board make a statement clarifying that the decision made in the February 24, 2021 hearing should remain the same based on what was presented in the hearing, barring the zoning error. Tim Gourley reviewed with the members of the board a map that was presented in the Conditional Use Hearing showing that the same criteria apply regardless of whether it is zoned agricultural or woodland conservation district. The board decided to go into executive session to discuss further.

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Kirstie took the Board into executive session at 6:02 PM to discuss. The regular meeting reconvened at 6:14 PM.

On motion of Christine, second by Kirstie, motion passed to authorize John Thompson to write a letter clarifying that the decision made in the conditional use hearing on February 24, 2021 would include the woodland conservation district.

Larry Alderson addressed the board concerning the township's multiple pension plans and their performance. He expressed the need to have a designated signatory assigned to e-sign the new plan documents for the defined contribution plans. He discussed the performance of the non-uniform and police pension plans and the need to potentially set aside some extra money to cover the lower interest rates expected in the upcoming years.

On motion of Kirstie, second by Bonnie, motion passed to accept the monthly reports as submitted.

On motion of Christine, second by Kirstie, motion passed to pay the monthly bills as submitted. A complete listing of revenues and expenditures is on file in the office of the Treasurer.

Kirstie asked to table approving the minutes.

On motion of Kirstie, second by Bonnie, motion passed to approve renewing Meade Murtland's 5-year term with Athens Township Parks Commission (expires July 2028).

On motion of Kirstie, second by Christine, motion passed to approve the township paying \$200 for Tessa Spears to attend the virtual L-2300 Intermediate Emergency Operations Center Functions class required for her certification.

The supervisors decided to table the request from AASD to put paw prints on Pennsylvania Avenue until PennDOT gives their approval it and someone from the school district presents to the board more details.

The supervisors will schedule a road workshop after they are able to discuss availability with Tressa and Alan as they weren't at the meeting.

On motion of Kirstie, second by Bonnie, motion passed to approve allowing the Sheshequin Path Half Marathon on October 7th, 2023 to be held on township property as we have received a letter from the commissioners relieving the township of liability.

Correspondence/Information was as listed in the meeting agenda.

Eileen Sparduti of 972 Meadowlark Dr. asked to address the board because she wanted to understand what the board authorized Mr. Thompson to do regarding the mine (the board authorized Mr. Thompson to write a letter clarifying that the decision made in the conditional use hearing on February 24, 2021 would include the woodland conservation district.) She wanted to know if the supervisors requested a copy of the

transcripts from the hearing and why they didn't table their decision so they could review them prior to authorizing Mr. Thompson to clarify. She stated that her concern with the omission error regarding the zoning (originally presented as zoned agricultural when it is both agricultural and woodland conservation district) and how it impacts other possible omissions. John stated he would be happy to sit down with her and go through the whole process and answer her questions. He explained that because it is an approved use it wouldn't change anything should the board have required them to reapply. Matt Cooper asked John if the board denied the request for clarification tonight, could they have set different conditions for the woodland conservation district in a new conditional use hearing. John explained that we couldn't do that because the board made conditions in the first conditional use hearing applying to all three levels, which included the area that is now recognized as woodland conservation district. Eileen asked if we are still within Sunshine Law and Public Notice requirements now that we have decided to clarify the decision. John stated that he believed we were.

Kirstie took the Board into executive session at 6:52 PM for personnel and pending litigation. The regular meeting reconvened at 8:21 PM

On motion of Kirstie, second by Bonnie, motion passed to add the following items to the agenda: authorizing John Thompson to respond to Shirley Miller, adopt a resolution allocating ACT 13 Impact Fee Funds, and approving the purchase order for Mattison's Bucket Service for Parks.

On motion of Bonnie, second by Kirstie, motion passed to allow John Thompson to address the letter received from Shirley Miller dated July 23, 2023 on behalf of the township.

On motion of Kirstie, second by Christine, motion passed to adopt a resolution stating that we received Act 13 Impact Fee Funds for 2022 Gas Wells in July in the amount of \$388,050.06 and it will be allocated as follows: \$100,000 to the Thomas Avenue Bridge, \$50,000 for Moore Rd. Bridge, \$50,000 for Miller Rd. Bridge, and \$50,000 for Murray Creek Rd. Bridge, \$18,118.61 for the purchase of bullet proof vests for the police department, and the remaining \$119,931.45 to be allocated as needed in compliance with the Act 13 regulations.

On motion of Kirstie, second by Christine, motion passed to approve the purchase order for Mattison's Bucket Service for cutting down 8 trees at Round Top Park in the amount of \$4200.00 to come from Parks account 454.370.

There being no further business, on motion of Kirstie, second by Christine, it was unanimous to adjourn the meeting at 8:23 PM.

Respectfully submitted,

Michelle A. Rude
Athens Township Administrative Secretary