

ATHENS TOWNSHIP SUPERVISORS
January 3, 2011 7:00 PM
Reorganization Meeting

The meeting was called to order at 7:00 PM. Supervisors present were Ronald Reagan, Maurice Fay, Jack Walter, Cheryl Wood-Walter and Robin Smith. John Thompson was also present.

On motion of Ron, second by Cheryl, it was unanimous to appoint Robin as Secretary pro tem.

On motion of Maurice, second by Robin, it was unanimous to appoint Ronald Reagan as Chairman of the Board for 2011.

On motion of Robin, second by Cheryl, it was unanimous to appoint Maurice Fay as Vice Chairman of the Board for 2011.

On motion of Ron, second by Jack, it was unanimous to appoint Robin Smith as Secretary of the Board for 2011. Robin thanked the Board.

On motion of Ron, second by Robin, it was unanimous to appoint Ruth Casterline as Treasurer of the Board for 2011.

On motion of Maurice, second by Jack, it was unanimous to appoint Ray Brobst as Road Foreman for 2011.

On motion of Robin, second by Maurice, it was unanimous to hire Thompson Law Office to represent the Township for 2011 at a rate of \$95 per hour.

On motion of Jack, second by Maurice, it was unanimous to approve the following benefit items, with Robin abstaining as she is an employee:

Approve the following paid holidays: January 1, President's Day, Good Friday, Memorial Day, 4th of July, Labor Day, Thanksgiving, Veterans Day (Nov. 11th), Christmas & 1 floating holiday for Non-Uniform employees. Police Contract includes Police Memorial Day (May 15th) and President's Day. Granted immediately according to date of hire. Bargaining Unit holidays as per contract.

Approve paid sick days per year for Non-Uniform employees (present schedule 15 days per year after 1 year of service with the ability to carry over 5 unused days accumulation not to exceed 30 days). A doctor excuse is required after 5 consecutive days. May use up to 10/yr. as Family Sick Leave if family member requires hospitalization or care afterwards. Police and Bargaining Unit sick days as per respective contracts.

Approve vacation time for Non-Uniform employees: After one year employment - 10 days. After 5 years employment - 15 days. After six years employment, one vacation day per year of service shall be received up to a maximum of 25 days. No more than 4 weeks can be carried over. Police and Bargaining Unit vacation as per respective contracts.

Approve time off with pay for bereavement leave for Non-Uniform employees: for the death of husband, wife or children - 5 working days; mother, father, sister or brother - 5 working days; mother-in-law or father-in-law - 5 working days; aunt, uncle, grandparents, grandchild, niece, nephew, brother-in-law, sister-in-law - 3 working days. This leave time is for employee or spouse family member. Granted immediately after employment. Police and Bargaining Unit bereavement leave as per respective contracts.

Approve to continue to provide a basic dental coverage plan for each full time Police and Non-Uniform employee including the family plan, if applicable, provide individual and family hospitalization benefits under Blue Cross and Blue Shield Traditional or Blue Cross and Blue Shield HMO and short term disability. Provide \$75,000.00 life insurance for police and \$30,000.00 for Non-Uniform employees (as per health and insurance contract). Bargaining Unit employee insurance as per contract.

Approve to continue to provide vision coverage for full time Police and Non-Uniform employees as per vision contract. Bargaining Unit employee vision insurance as per contract.

Approve 4 personal days for full time Police and Non-Uniform employees. Granted immediately and prorated according to date of hire. Bargaining Unit employee personal days as per contracts.

On motion of Ron, second by Jack, it was unanimous to approve and provide the Township Non-Uniform Pension Plan and contribute \$84,973 to it and provide a Police Pension Plan and contribute \$148,561 to it for 2011. The employee will be enrolled immediately upon hiring. Robin abstained as she is an employee.

On motion of Jack, second by Maurice, it was unanimous to approve that any supervisor in office during 2011 shall be authorized to perform any duties pertaining to Township affairs, whether administrative, road work, etc.; to give authority to Chairman of the Board to purchase supplies and small items of equipment without formal approval of the Board; and to approve the other four supervisors to act in the same capacity in the event of emergency when the Chairman is not available.

On motion of Robin, second by Ron, it was unanimous to appoint Richard Bean as a member of the Vacancy Board for 2011.

On motion of Ron, second by Robin, it was unanimous to adopt RESOLUTION 2011-01 designating C & N Bank and M & T Bank as our depositories for 2011.

On motion of Ron, second by Robin, it was unanimous to adopt RESOLUTION 2011-02 reappointing Maurice Fay and Cheryl Wood-Walter to the Bradford County Sanitation Committee Appeals Board as representatives of Athens Township for 2011.

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On motion of Jack, second by Maurice, it was unanimous to allow the Treasurer to pay bills during the month that become due or will be discounted before our meeting at the end of the month.

Voice of the Residents – none

On motion of Maurice, second by Jack, it was unanimous to approve the minutes of December 29, 2010 as written. Cheryl abstained as she was out of town.

On motion of Ron, second by Robin, it was unanimous to set the mileage rate for 2011 at the IRS rate. The IRS rate is presently \$.51/mile.

On motion of Robin, second by Maurice, it was unanimous to approve payment of the Treasurer's bond in the amount of \$1,824.00.

Chairman Reagan took the Board into executive session at 7:09 PM for litigation and personnel issues. The regular meeting reconvened at 7:28 PM.

On motion of Robin, second by Maurice, it was unanimous to run an ad for the cleaning position at the township building.

There being no further business, on motion of Ron, second by Robin, it was unanimous to adjourn the meeting at 7:30 PM.

Respectfully submitted,

Robin L. Smith
Secretary

ATHENS TOWNSHIP SUPERVISORS

February 23, 2011 6:30 PM

Conditional Use Hearing reopened for Chesapeake Arthur Water Impoundment

Chairman Ronald Reagan called the meeting to order at 6:36 PM. Supervisors also present were Jack Walter, Maurice Fay and Robin Smith. Cheryl Wood-Walter was absent.

Chairman Reagan turned the meeting over to Attorney John Thompson to begin the Conditional Use Hearing. The applicant was represented by Michael Narcavage, III. Testimony was taken by Stenographer Myra Ludden. Michael thanked the Board for reopening the hearing and presented Chesapeake's request that the condition requiring them to complete a land development for this project be dropped. Testimony was taken. Chairman Reagan recessed the hearing at 7:12 PM to hold an executive session for deliberation. The hearing reconvened at 7:28 PM. Attorney Thompson explained that there was not an affirmative vote of a majority of the entire board, therefore the previous decision is affirmed, and Chesapeake will need to submit a land development for this project.

Chairman Reagan adjourned the hearing at 7:30 PM and a short break was taken at that time.

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Reconvening of the Regular Meeting

Chairman Reagan reconvened the regular meeting at 7:35 PM. Cheryl Wood-Walter joined us at this time.

Voice of the Residents:

Terry Cockcroft of Gateway Industrial Park Road asked the two incumbents, Robin Smith and Cheryl Wood-Walter, if they were running for another term, and if so, what they feel are the issues of today and how to handle them. Robin said she is not running for office again. She has served 2 terms for a total of 12 years, and she thinks it's time to give someone else the opportunity to serve the township. She feels you start to get stale after 10 years or so, and she is looking forward to pursuing other interests. She will be happy to talk to anyone who might consider running for this position, to let them know what is involved and answer any questions. She added that anyone interested in running needs to file a petition with the Board of Elections in Towanda by March 8, 2011 in order to be eligible.

Cheryl is running for a second 6-year term. She feels there are many issues that the township is facing – the effect of natural gas on the township; economic recovery; taking care of everyday township issues like the police department and the roads, trying to make everything balance. She also feels it's important to hold the township 'bottom line' – to keep the expenses and revenues in control. She would also like to see a resolution to the Greens Landing traffic situation. Terry thanked both Robin and Cheryl for their service to the township.

Gunnery Sergeant Jason Reed of Alpine Drive said he was surprised that the gentleman representing Chesapeake at the hearing was so poorly prepared. He said he had no answers for the people here tonight. He stated he may run for township supervisor, because none of us have answers for anyone either.

Dan Stark of Clinton Street thanked the township road crew for the terrific job they've done in the last few storms.

Christine Vough said she likes to fish. Over at Tozer's Landing there's no way to get a boat in with all the Chesapeake trucks in the way. What can be done about this. Robin said if there was anything that could be done, we would have done it by now. It's a public road and a private water company.

Mike Bull of Oak Hill Drive asked if we could post it "No Parking". There were 4 trucks across today. Why can't we do something?

Roman Rosh asked the board if he understood correctly that the board does not want the trucks in there. The entire board agreed. He stated the trucks are parking/standing on the wrong side of the road. Can't they be ticketed? What if they fill their trucks on the right side of the road? Robin said they can't obstruct our road like that. Cheryl said neither Aqua nor Chesapeake will listen to us. Robin suggested we contact Chesapeake and Aqua again and give them a time limit to find another location or we will begin enforcing all these traffic violations. Eddie suggested posting it "No Parking, Stopping or Standing" from the parking lot to the road.

Gunnery Sergeant Jason Reed said when he had a vehicle in the way of the plow, he was approached by a township employee who told him he had to move the vehicle. He pays \$5200 in taxes and he wants to know why the same laws he has to abide by don't apply to Chesapeake?

Ed Reid suggested that we ask Chesapeake to install a hydrant on their property in the business park in the Phase II portion.

Michael Murphy asked if any decision had been reached on the easement request from Chesapeake to cross a small portion of Round Top Park property. Robin said that had been referred to the Parks Commission for their recommendation. Mike asked when we would have an answer from them and Robin said in the Park Commission portion of our meeting tonight.

On motion of Jack, second by Maurice, it was unanimous to approve the minutes of January 26 and February 1, 2011 as written.

Robin presented the William/Lori Sutton 2-lot subdivision on Braddock and Beaver Pond Roads for review and approval. Ron read the deficiencies, and all were met with the exception of the driveway permit. Chairman Reagan recessed the regular meeting at 8:03 PM to hold a public hearing on this issue. There being no adverse comment, the regular meeting reconvened at 8:04 PM. On motion of Jack, second by Maurice, it was unanimous to grant preliminary and final plan approval to this 2-lot subdivision and to execute the sewage module. Planning Commission commented that this subdivision will require a NPDES permit if more than 1 acre is disturbed.

Next was the William/Lori Sutton 3-lot subdivision on Mile Lane Road and Highland Drive. None of the deficiencies have been met. On motion of Ron, second by Cheryl, it was unanimous to table this subdivision until the deficiencies have been met. Robin reminded the Suttons that this project will still require the submission of a land development. Gunnery Sergeant Jason Reed interrupted and asked Chris Sutton to ask us why he has to do a land development when we aren't requiring Chesapeake to do one. Robin stated that the result of the hearing prior to this meeting was that Chesapeake DOES have to do a land development.

Robin presented the Stephen/Nancy Moore 1-lot subdivision, Lot 2A to become part and parcel to Lot 2 of Victor/Donna Vough on Wolcott Hollow Road. All deficiencies have been met. Chairman Reagan recessed the regular meeting at 8:12 PM to hold a public hearing on this issue. There being no adverse comment, the regular meeting reconvened at 8:13 PM. On motion of Cheryl, second by Maurice, it was unanimous to grant preliminary and final plan approval to this subdivision and to execute the non-building waiver. Robin will call Jeff Geiss when the plan is ready so that he can take the plan for recording.

Chairman Reagan took the Board in to executive session for personnel at 8:13 PM. The regular meeting reconvened at 8:35 PM. Cheryl made the motion to accept the Memorandum of Understanding with the union for the 5 members of

the highway department bargaining unit as follows, and seconded by Maurice:

- 1) Term of the agreement is 1 year (1/1/11 through 12/31/11)
- 2) Three additional personal days for a total of 7 personal days/year
- 3) Maintain Supreme Tier of health insurance and maintain all other existing employee benefits with no contribution from employees
- 4) 1.5% raise for 2011, retroactive to January 1, 2011

Chairman Reagan called for a roll-call vote: Mr. Walter – yes; Mr. Fay – yes; Mrs. Wood-Walter – yes; Mr. Reagan – no; Mrs. Smith – no. The motion passes.

Bob Blauvelt reported for Athens Township Authority. He said they will be upgrading Pump Station 1 and possibly Pump Station 6 (at Camco). The cost will be borne by Chesapeake. They have one sewer account back in litigation because of the refusal to connect. Al Teeter is still off and will probably be off for a while because he needs to be able to lift 200 lbs before he can return.

Mike Bull reported for the Parks and Rec Commission. He said the Commission is in favor of the easement for the Chesapeake water line if the township supervisors are OK with it. John Thompson said he requested the easement state that the pipeline is for fresh water only, and that has not been added to the agreement yet. The composting toilet will be completed at the Jim King Memorial Park in the Spring. They will also be doing the basketball and volleyball courts. They will be marking the trails in Round Top this year. They have nothing back on the pond yet. They discussed the water tankers at Tozer's again. Everyone is upset about it. They will start Barry on April 4th. They have changed their March meeting from the 28th to the 21st. Robin will readvertise.

Mike Murphy said Chesapeake walked away from him yesterday on the pipeline negotiations. He said many organizations are banding together on the leasing – we should consider doing that.

Ray Brobst was present for the Public Works Department. He asked if he can get the raise and the extra days off that the bargaining unit are getting and the answer was no. Ron said none of the other non-uniform employees are getting that either. Ray asked if he could join the union and the answer was no, because he is management.

Ray said Bob Blauvelt helped us out a lot with plowing in the last winter storm.

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On motion of Robin, second by Cheryl, it was unanimous to send Ray Brobst, Randy Harford and Jack Walter to the Stormwater NPDES class at the Northern Tier Career Center on April 19, 2011 at 6 PM. Robin will register them.

On motion of Robin, second by Cheryl, it was unanimous to send Ray Brobst, Randy Harford and Mike Chilson to the Flagger Training in Richmond Township at 9 AM on March 22, 2011.

On motion of Ron, second by Robin, it was unanimous to approve, sign and execute the proposal for the garage roof in the amount of \$4800.

On motion of Ron, second by Robin, it was unanimous to approve, sign and execute the Supplemental Agreement for engineering on the Road C project.

We received two separate notifications from the Teamsters regarding our health insurance increases. Jim Carroll will contact them to clarify which amount is correct.

On motion of Jack, second by Maurice, it was unanimous to adopt ORDINANCE 2011-02 for the fire company billing. The ordinance will be in effect in 5 days.

On motion of Ron, second by Cheryl, it was unanimous to adopt RESOLUTION 2011-04 for the consultant selection policy for the Thomas Avenue bridge replacement, and authorize Robin to run ad for Statements of Interest.

On motion of Ron, second by Maurice, it was unanimous to approve, sign and execute the Conrad Siegel recommended assumption changes for both the Non-Uniform and the Police pension plans.

On motion of Cheryl, second by Robin, it was unanimous to approve, sign and execute the copier agreement for 2011 with Copy Source, Inc.

On motion of Cheryl, second by Robin, it was unanimous to set the date for the EPSCO Map Amendment Hearing for April 12, 2011 at 7 PM. John Thompson will do the legal notice and will secure the stenographer for the hearing.

Chairman Reagan made no changes in the committee assignments.

Ron read the monthly report totals. On motion of Cheryl, second by Maurice, it was unanimous to accept the monthly reports as presented.

On motion of Cheryl, second by Ron, it was unanimous to approve the payment of the monthly bills as presented. A complete listing of revenues and expenditures is on file in the office of the Treasurer.

Correspondence/Information was as presented in the meeting agenda.

On motion of Ron, second by Cheryl, it was unanimous to approve Robin to speak on gas drilling issues at the Dickinson College seminar at the Keystone Theater on March 4th from 1 – 3:30 PM and on April 14th at the Leadership Conference at Corning Community College and to pay her salary for the time she would have worked.

On motion of Ron, second by Cheryl, it was unanimous to send Jack Walter and Ruth Casterline to the budget class in Wyalusing on April 2nd and to send Ruth to the Payroll Law 2011 class in Elmira on April 8th.

On motion of Ron, second by Cheryl, it was unanimous to send Ed Reid and John Northrup to the PA One Call class at the Athens Township Fire Hall on March 3, 2011 at 8 AM.

Robin received an e-mail from the Bulletproof Vest Partnership Program (BVP) stating that in order to remain eligible to receive grant funds for the bulletproof vests, we need to have a mandatory wear policy in effect for the officers. On motion of Ron, second by Robin, it was unanimous to draft a policy for this.

Robin reported that our website is now complete, and can be viewed at www.athenstownship.org. Laurie did a great job on this project.

Chairman Reagan took the Board into executive session at 9:20 PM for personnel issues and pending litigation. The regular meeting reconvened at 9:43 PM.

On motion of Maurice, second by Cheryl, it was unanimous to have Jim Watson take his personal days and floating holiday received in 2011 before he retires as these are not days that can be carried over for cash payment.

On motion of Ron, second by Robin, it was unanimous to have Ed Reid send the Enforcement / Cease and Desist Notice to Tennessee Gas Pipeline and to Masco concerning their proposed pipe yard in the Valley Business Park.

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On motion of Ron, second by Cheryl, it was unanimous to have Robin draft a letter to Ty Reynard.

There being no further business, on motion of Robin, second by Ron, it was unanimous to adjourn the meeting at 9:46 PM.

Respectfully submitted,

Robin L. Smith
Secretary

ATHENS TOWNSHIP SUPERVISORS

March 3, 2011 1:00 PM

Chairman Ronald Reagan called the meeting to order at 1:10 PM. Supervisors Jack Walter, Maurice Fay and Robin Smith were in attendance, as was Attorney John Thompson. Cheryl Wood-Walter was unable to attend. Others in attendance were Zoning Officer Edmund Reid, Planning Commission Vice Chairman Clif Cheeks, Tim Hanson and Jamie Ledbetter of Tennessee Gas Pipeline (TGP) and their attorney, Elizabeth Whitmer.

Voice of the Residents: None

Ron turned the meeting over to Attorney John Thompson. John explained that TGP had filed a sketch plan with Planning Commission asking for their input and then filed a land development. The land development was reviewed by Planning Commission and several deficiencies were found. TGP then withdrew their land development, claiming they were regulated by FERC and were exempt from our regulations through the Oil and Gas Act. Ed Reid later received a PA One Call for TGP to begin construction of their pipe yard, after which he issued a Cease and Desist order, which is the reason for this meeting.

Ed Reid explained that there were 2 issues of contention – the fencing of the facility and the paving of the parking area. He said he met with representatives of TGP at the site yesterday and they explained in better detail what they have planned for the site.

Elizabeth thanked the Board for holding this special meeting. She explained the pipe that will be at this location will be used to complete an 111-mile pipeline project. The pipe will be trucked here to the staging area and stacked, then they will put each piece (joint) into forms and enclose them in concrete. The concrete will be delivered and poured into the forms on-site. The following day they will remove the forms and do the next set of joints. They will then be loaded onto off-road trucks to take them where they will be used. The pipes will be setting on earthen berms and will be held together by “clips” to keep them from rolling.

Discussion was held as to the fencing of the property. Elizabeth asked if there was any concern about stealing and they said no. Jack said we are looking to have the facility fenced for safety reasons. Robin said the Valley Youth Soccer fields are very close by and children are curious. Elizabeth said they would be installing a 3-ft. silt fence – it would be obvious that you weren't supposed to be in there. They are supplying the pipe for a project that has to be in service by November, so their active time at this site will be from April/May through November. She said yesterday they had orange safety fence on stakes/”T” posts. They plan to have cable gates at the three entrances. Maurice said he thinks it's far enough away from the soccer fields – if the pipe is still there in August they could consider doing security sweeps. Maurice said we have a lot of nosey people around.

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Jamie said they could put a gate up on "Road B" closer to Lamoka Road to help keep people from driving down in there. They would have to work that out with the other landowners. Jack thinks they would cooperate.

Ron asked what their hours will be at the site. They will be from 7 AM to 5:30 PM. They will not allow any drivers to park there overnight.

Elizabeth said this facility will be monitored by FERC and DEP. They have to do weekly inspections and also need to inspect when they have a rain event of ½" or more. When there is activity, they will be inspecting every day.

Ron asked how close to the project they are. The project will run just south of Troy and down 220. Ron asked why they decided to locate here. They said it's hard to find a spot. Ron asked how many trucks they expect a day, and they will have between 6 – 10 trucks a day. The project will be putting another line next to the existing line (looping).

Tim said their lease runs through May of 2012, but they expect to be done in November and will need the additional time to reclaim the site. They will be scraping the topsoil off and creating the berms with the topsoil.

Ron said the road from Lamoka Road to the pipe yard is not paved. How will you keep the dirt from coming onto the township road, or into the Mill's Pride site. Jamie said they can install a rock entrance pad. Ron asked them to get us a copy of the engineering drawing for that, and Jamie said he will get that to us. Ron asked if Road B will handle their trucks and they said it's a good gravel-base road. Ron said there are utility lines down there that you have to be careful of. Robin said the drainage ditch along either side of Road B drains that entire hillside and field, so that can't be disrupted. Tim said they could put culverts at each entrance if needed.

Ron asked John Thompson if we can issue this as a temporary zoning permit, and he read the definition. Elizabeth asked what the length of a temporary permit is – 14 days?? Ron said such permits are good for up to a year. John asked if the only coating they're doing is concrete and they said yes.

Chairman Reagan took the Board into executive session at 1:43 PM. The regular meeting reconvened at 1:48 PM.

On motion of Ron, second by Jack, it was unanimous to lift the Cease and Desist order; to have Ed issue the temporary permit to Tennessee Gas Pipeline for their pipeyard with the following 3 conditions: 1) Assurance in writing that the pipe will be completely out of there by December 1, 2011 with final restoration by the end of the lease, 2) they

install orange fencing around the pipe area, and 3) we receive a copy of the rock entrance pad drawings and make sure it is working properly at the Lamoka Road intersection. Elizabeth thanked the Board.

Ed Reid said he was approached by Rick Heckman to see if he can burn brush from the cemetery property. He can burn limbs only – no leaves or garbage.

Ron, Ed, and Clif Cheeks and Kathie Hunter have been meeting to update our SALDO ordinance, and in their discussions, Kathie said we are not required to advertise all our subdivisions and land developments or hold a public hearing on each one – the MPC says “may”, not “shall”. Discussion was held. On motion of Jack, second by Maurice, it was unanimous not to advertise the subdivisions and/or land developments unless they are something Ed Reid feels we need to advertise.

Ron said Ruth brought some credit card issues to him concerning the use of the employee cards. The police department uses their employee credit cards to make purchases from their clothing allowances, and Ruth has a hard time getting a receipt for items. Right now the road crew purchases their items from their clothing allowance and then turn their receipts in for reimbursement. Maybe we should do that with the police department as well. Ron said they also are trying to use up their clothing allowance before the end of the year, and seem to be doing a lot of purchasing between Christmas and New Year’s. It was suggested they be required to spend their clothing allowance by November 1st, so we will also have some idea of what we need to budget. Discussion was held. On motion of Robin, second by Jack, it was unanimous to require the police department to purchase items from their clothing allowance themselves, and then submit the paid receipt to Ruth for reimbursement; and to have November 1st as the last day of the year to use their clothing allowances, except in extenuating circumstances. This will become effective on April 1, 2011.

Chairman Reagan took the Board into executive session at 2:03 PM for personnel issues. The regular meeting reconvened at 2:40 PM.

On motion of Ron, second by Maurice, it was unanimous to accept the resignation of Ty Reynard from the Planning Commission. Ty has resigned because of work commitments.

On motion of Ron, second by Robin, it was unanimous to appoint Marion Carling to fill out the term of Ty Reynard on Planning Commission (term to expire October 30, 2011) contingent upon her resignation as alternate to the Zoning Hearing Board.

On motion of Robin, second by Ron, it was unanimous to appoint Wally Haggerty as alternate to the Zoning Hearing Board.

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Robin advised the Board that Laurie Bowen has found another position and will not be able to give us 20 hours a week. On motion of Ron, second by Robin, it was unanimous to set Laurie's last day as March 11, 2011, and to advertise for a new Assistant Zoning Officer.

There being no further business, on motion of Robin, second by Maurice, it was unanimous to adjourn the meeting at 2:46 PM.

Respectfully submitted,

Robin L. Smith
Secretary

ATHENS TOWNSHIP SUPERVISORS

March 14, 2011 7:00 PM

Chairman Ronald Reagan called the meeting to order at 7:07 PM. Supervisors also present were Jack Walter, Maurice Fay, Cheryl Wood-Walter and Robin Smith.

Chairman Reagan turned the meeting over to Attorney John Thompson to conduct the Rivers Edge Housing Development Zoning Map Amendment and Conditional Use Hearing. David Lubin was present as the applicant with his engineer, James Gensel of Fagan Engineering. Attorney Thompson explained that Raven Holding Company was requesting a Zoning Map Amendment to change the Agricultural portion of Lot 4 of the Valley Business Park to Residential Suburban, and to request Conditional Use approval for the construction of multi-family dwellings on this parcel. The portion of Lot 4 on the west side of Wilawana Road is already zoned Residential Suburban. Mr. Lubin stated they are looking to construct upper-income townhouses and apartments on this site. Testimony was taken by Stenographer, Linda Wettlaufer.

Chairman Reagan took the Board into executive session at 8:20 PM for deliberation. The hearing reconvened at 8:42 PM.

Motion was made by Cheryl and seconded by Maurice to grant the zoning map change from Agricultural to Residential Suburban. A roll-call vote was taken and was as follows: Mr. Walter – yes; Mr. Fay – yes; Mrs. Wood-Walter – yes; Mr. Reagan – yes; and Mrs. Smith – yes. The motion passes.

Motion was made by Maurice and seconded by Jack to grant the Conditional Use request to allow multi-family housing units with the following conditions: 1) Applicant must meet all conditions of the Athens Township Zoning Ordinance and the Athens Township Subdivision and Land Development Ordinance for an approved land development; and 2) Applicant must secure all necessary variances from the Zoning Hearing Board. A roll-call vote was taken and was as follows: Mr. Walter – yes; Mr. Fay – yes; Mrs. Wood-Walter – yes; Mr. Reagan – yes; Mrs. Smith – yes. The motion passes.

Ron asked Dave Lubin if he is in discussions for the location of a wastewater treatment facility out behind this proposed development and Dave said yes.

Dr. Patrick Musto of the Athens Township Authority (ATA) asked to speak to the Board about the refinancing of the ATA loans into one new debt. This will save each user about \$75 - \$100/year. He said if the township guarantees the loan, they can save 1 to 1-1/2% on this loan. ATA will incur all expenses involved in the refinancing – including township expenses. The debt will be self-liquidating and their financial advisor, Mark Lindquist, said it shouldn't affect the township's borrowing base. This will allow ATA to pay for the upgrades at the Valley Joint Sewer Authority (VJSA) with no increase in fees to the users.

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Ron asked Dr. Musto what our share of the cost will be and he said about \$3-million. Ron asked how close VJSA is to bidding out the project. They hope to go to bid in the summer and break ground in the fall.

John Thompson said for ATA's debt not to count against the township borrowing base it has to be approved as self-liquidating by DCED. We would only consider this if they were absolutely certain this would not count against us. Dr. Musto said ATA is financially sound – it costs them \$26-27 to treat at VJSA and the rest of the \$130 fee comes to ATA. He also said it's possible that CVS will add a Phase II and Phase III. He said they also picked up about 100 EDUs at no cost to ATA.

Ron commented about the recreational vehicles (RVs) and travel trailers that are popping up in the trailer courts and asked if ATA is keeping track of those. Dr. Musto said they have someone monitor the trailer courts once per quarter to make sure they have any additional trailers. He added that some connections were decommissioned for \$40 each in the Desisti Trailer Court, and if they want to reconnect, they have to pay the \$1500 tap-in fee again. Dr. Musto said they have an infiltration problem in the Greens Landing area and also at the Queen Esther pump station by the lake. They have purchased a camera to help locate the problems so they can be repaired.

On motion of Jack, second by Ron, it was unanimous to agree to guarantee the loan consolidation for ATA ONLY if DCED determines the loan to be self-liquidating and it doesn't impact our borrowing base; and that ATA pay any costs that the township incurs for this process.

Ron asked what the costs will be for the relocation of utilities for the Road C project since we will be responsible for all the utility relocations. Robin said that is a question for our engineers – it is estimated as part of the project costs.

Dr. Musto said he and Bob Blauvelt will go to Sue Sperrazza's tomorrow and walk the area that ATA allegedly altered when the sewer lines were installed that is causing drainage problems at that location. Dr. Musto will also call Dave Sweetland and follow-up with him. Maurice suggested a dry well be used to help with the drainage.

Eddies said there are 19 RVs in Crestview Trailer Court presently. Ron said mobile homes are leaving and the gas company workers are moving in with RVs. This is circumventing the building codes. The definition of an RV is different than a mobile home in our ordinance. Ed questioned what permits should be required. Jack said they should pay the wage tax if they live here. Once the EIT collection transfers over, we will get a monthly report that lists the employers that have paid. That may help us keep track a little better. Ron wanted to know what we do with these RVs?

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Cheryl said Sayre did a landlord/tenant ordinance. Robin said we've talked about this before but no one wanted to move forward with it. Discussion was held. On motion of Robin, second by Jack, it was unanimous to have John Thompson draft a landlord/tenant ordinance for our review, and also an ordinance to put a hotel/room tax in place. Robin will get samples from PSATS, if there are any.

Ed had more questions on the permitting of the RVs in the trailer parks. Ron and Ed will get with Kathie Hunter at the next SALDO workshop to see what she suggests, and possibly do a curative amendment to the zoning ordinance.

Ron said the Arkoma business located across from Beeman's on Elmira Street is causing a lot of dirt to be carried out onto Elmira Street. This will get into our storm drains and we need to alleviate this. Ron said Chesapeake keeps a street sweeper at the Barrett water withdrawal site to keep the dirt off Route 199. Something needs to be done here. On motion of Ron, second by Maurice, it was unanimous to send a letter to Randy Williams and Arkoma (cc: Kevin Horn and PENNDOT District 3) telling them they need to correct this situation, and that they need to get permits from the Zoning Officer and Code Inspections for the business use and accessory residential use – all permits being secured by April 1, 2011 or we will begin enforcement proceedings.

Robin advised the Board that Senator Yaw's aide, Arnie Kriner, has set up a meeting here at our building for April 7th at 10 AM with himself, our board and representatives from PENNDOT to discuss the Route 199/220/Wolcott Hollow traffic situation.

Callear's R & R Barbecue will have a ribbon cutting on March 17, 2011 at 11 AM.

Robin said John Murray of DCED still needs a letter from the township for the IDP grant application stating we guarantee we will be responsible for the \$1,294,705.00 funding shortfall for Road C. On motion of Jack, second by Maurice, it was unanimous to have John Thompson draft the letter and get it to DCED as soon as possible. Robin will get a date from Tony as to when he will be able to meet with us regarding the Road C funding.

Walmart Supercenter will be reviewed by Planning Commission on March 28th. This meeting is to review the revisions to the plan that address the review engineer's comments. John Thompson said the only issue he has with the plan is the lighting with the glare and that they shine on the roadway. Martha Brennan was present (she is a member of Planning Commission) and said they could just change their lighting to comply with our ordinance. Roman Rosh said they could request a variance from Zoning Hearing Board as well.

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There being no further business, on motion of Ron, second by Cheryl, it was unanimous to adjourn the meeting at 10:04 PM.

Respectfully submitted,

Robin L. Smith
Secretary

ATHENS TOWNSHIP SUPERVISORS

March 30, 2011 7:00 PM

Chairman Ronald Reagan called the meeting to order at 7:02 PM. Supervisors also present were Jack Walter, Cheryl Wood-Walter, Maurice Fay and Robin Smith. Attorney Thompson was out of town.

Ron welcomed Nicholas Hudock of Boy Scout Troop 17 who was present tonight as a requirement of his Citizenship in the Community badge.

Voice of the Residents:

Daryl Miller introduced himself as a candidate for County Commissioner.

Gary Rosh of Wilawana Road said he had attended the public hearing for Dave Lubin's Rivers Edge housing development proposed for Lot 4 of the Valley Business Park. Gary said Mr. Lubin stated at that hearing that he had permission to fill in the canal. Gary called Brad Cummings at Bradford County Conservation District to ask if he truly did have permission. Brad said that would need a special permit, and he added that he had not received anything on that yet. Gary said he just wanted to make us aware that he did not have permits for that. Robin thanked him and said that will be one of the requirements of the land development, and it would be addressed at that time. Maurice said there is a problem with water over there and it goes into that old canal. They will have to address that.

Bill Morris, Chairman of the Auditors, was present to give the Board their report on the audit. He handed out copies of the audit along with the condensed balance sheet. He explained the report, and said everything balanced to the penny again this year. He commended Ruth and Robin for doing a great job.

On motion of Maurice, second by Jack, it was unanimous to approve the minutes of February 23, March 3 and March 14, 2011 as written.

On motion of Robin, second by Cheryl, it was unanimous to table the Wm. Christopher/Lori Sutton 3-lot subdivision on Mile Lane Road and Highland Drive, as this plan has been revised and Attorney Thompson was not present to advise us as to how to proceed.

Robin received a request from Chesapeake Energy requesting a 90-day extension for their Arthur Cole Water Impoundment Facility on Murphy Road. This is due to expire on April 9, 2011. On motion of Robin, second by Jack, it was unanimous to grant the extension. This will now expire on July 8, 2011.

Dave Young of Larson Design Group presented the Chesapeake Athens Office Complex – Phase I project for review. He explained the project to those in attendance. He said

this will include a 14,280 sq. ft. shop and an 11,284 sq. ft. building to house 44 offices. The yard will be gravel and will be used to store pipe and fittings. There will be no trucks stored on this site. It will be enclosed by a chain link fence that will have 2 entrances with electronic gates. All utilities are readily available. They will be able to connect with gravity sewer from Nomac. The water will be supplied by running a 12" main down Mile Lane Road to Lamoka Road, then running an 8" line up Lamoka Road into the site. It is still undetermined as to which electric company will serve this site.

Ron asked why they aren't accessing this site from Mile Lane Road. Dave said PennDOT will only allow them so many driveway cuts. Ron asked how high the office building would be and Dave said 1-story. Ron wanted to know if the stormwater plan will be just for Phase I or will it be for the entire site? Dave said they have been permitted for all 5, but each phase will be done as separate systems. Ron wanted to know if the utilities will tie into the lines off the back of the property. Dave said the electric and gas will be routed that way, but the others will be "private". He said the first three Phases have very good drainage.

Jack Walter asked if the utility easements would be along "Road B" or if they'd be on Chesapeake property. Dave said the area shown is not "Road B" – it's the northern boundary of the old airport property so it will be Chesapeake property.

Gary Rosh said when Mill's Pride went in, there were big concerns with traffic. Road C has been on the wall for years and hasn't been built yet. Mill's Pride said they would not have the 18-wheelers use Wilawana Road, but they do. It's bad now. Will this shop area be for large trucks or pick-up trucks or what? Dave said it would be the larger trucks, but they should take the straight shot off Route 220. They met with PennDOT on this. Ron said we can't dictate who can use Wilawana Road – it's a state road.

Roman Rosh of Roman Way, South Waverly, PA asked if this had been through Planning. Yes it has. He asked what buildings would be the offices and what would be the shops? Dave delineated these on the plan. Roman asked if this was all Chesapeake and Dave said it was Chesapeake and their subsidiaries. Roman was concerned that Chesapeake could sell some of the middle sections and it's just a subdivision by lease. Dave said if that was to happen, they would come in and do the actual subdivision. Mike Narcavage of Chesapeake Energy said they do not intend to sell. Ron explained that a subdivision by lease still has to meet all the requirements such as setbacks, impervious surface, etc. that a normal subdivision would have to. Roman asked where the subsidiaries would be relocating from and Mike said Corning, Mansfield, Towanda, Ingersoll Rand in Athens Borough, and Mansfield.

Roman asked if this is in a KOZ, and it is. The Nomac Housing and Training Facility is not in the KOZ. He asked if Chesapeake is going to pay taxes 'in lieu of' and Mike will get an answer on that. Jack Walter said the thrust of the KOZ was to bring jobs in – let's not kick that in the teeth. We will begin to receive real estate taxes in 2017. Roman said it would be nice to have the Mile Lane Road speed limit reduced to 35 from 45 mph.

Ron asked what Phase 5 was to be and Mike said some sort of fueling, but they're not sure what kind yet. Roman said it's a state law in PA that you can't idle your trucks more than 5 minutes. He asked where these signs would be posted. Chesapeake will take care of that. There will be no overnight parking in Phase One. Ron said that is up to DEP to enforce. Roman asked what will be in the storage yard. Mike said there will be things like oil and antifreeze – things used in truck repair – in the shop, but not in the yard. Roman questioned their ability to store things outdoors and was told their storage is covered under the Contractors Shops and Yards section of the ordinance.

Clif Cheeks presented the plans to the Board for this project. There were a few deficiencies, but mostly administrative. They lacked the sewage planning module, but that is in the works. They do not have a water quality permit because it hasn't been determined whether or not they need one yet. They lack their water inspection report from Aqua. They need letters from the utility companies stating they can use their easements. They also need a waiver to install hydrants at 1000 ft. intervals instead of 600 ft. intervals. They have submitted a letter from the Athens Township Fire Chief stating the 1000 ft. intervals are acceptable for this development.

Discussion was held as to the lighting for this project. Clif said these will be spotlights and will shine down, but some of the light will spill over their property lines. Ron said he's concerned with traffic on Mile Lane Road. Jack said he can see the lights from Litchfield at his house – you're never going to put a light in that won't shine off the property. Robin said her concern is that these lights are 45-ft. high and she is concerned that the lights will affect the drivers on Mile Lane Road. Mike Narcavage said if there is a problem with the lights, they will do something about it. Clif continued by saying they are here for preliminary plan approval only, and added that Athens Township Authority has signed the Module 3 for sewage.

On motion of Jack, second by Maurice, it was unanimous to grant preliminary approval only to the Chesapeake Athens Office Complex Phase I, contingent upon the resolution of the following deficiencies: 1) submission of the approved sewage module Component 3; 2) submission of water quality permit, if it is determined that this is necessary; 3) submission of their water inspection report from Aqua (for final); 4) letters from the utility companies stating Chesapeake's location in the easements is OK; and 5) granting of a waiver by the Board of Supervisors for the intervals on the hydrants.

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On motion of Jack, second by Maurice, it was unanimous to grant the waiver to allow Chesapeake to install hydrants at 1000 ft. intervals instead of 600 ft. intervals for this project.

Ron Reagan stated that he is no longer abstaining on matters with Chesapeake because his deals have been finalized.

No one was present from Athens Township Authority.

Richard Bean reported for the Parks and Recreation Commission. He said the Greenway will partner with us for an education grant. They would like to provide an interesting and fun way to learn about trees by attaching large numbered tags to common trees along the existing trails at Round Top. The tags will correspond with tree descriptions in a brochure that will be made available at the park. They are also in the talking phase about partnering with the Greenway on some type of nature education program for elementary age children to be held in Round Top Park for a week or two during the summer. Various construction projects were also discussed for the parks. The pond study is attached and on file at the township building. Barry will start April 4th. The Commission will be identifying and installing markers on the walking trails on April 16th at 9 AM when they do their walkthrough of the parks. They will meet at Tozer's Landing. They are seeing very few water trucks at Tozer's Landing lately. The new East Athens boat launch is on hold until the remediation of the Cohen site is complete.

Ray Brobst was present for the Public Works department. He asked if we will replace Jim Watson when he retires next month. Ron said we haven't talked about that yet. Ray asked if he can get a couple of part timers. We haven't talked about that either. He said he thinks we now have an ordinance on the books that allows us to require homeowners to keep the water from their driveways from coming onto our road. Robin said this only applies to new driveways. Ray said Reagan Road and Sunnyfield Drive are the worst. We have them on almost every road. Robin will check with John Thompson to see if there is anything we can do to require the homeowner to fix these issues. Ray also reported that the sewer smell is back in the shop bathroom. Robin will ask Andy Harding to take a look at it when he's here for the roof. Ray also said the parking lot needs attention.

Robin presented the Athens Township Body Armor Policy for review and adoption. A change has been made in the Bulletproof Vest Partnership (BVP) Program that in order to receive funds from them, we must have a mandatory wear policy in effect. On motion of Ron, second by Robin, it was unanimous to adopt this policy as written, and to have each officer sign that they have read and understood the policy, then returning the signed copy to Robin to place in their files.

Robin presented the Credit Card/Clothing Allowance Policy for review and approval. Discussion was held. This policy is being proposed because the police department will use their credit cards for purchases, but they don't get the receipts or packing slips to Ruth so that she can pay the bills, which causes our payment to be late. This has been discussed with the police department several times, but the situation does not change. The policy proposes that they use their own credit cards and get reimbursed upon the presentation of the signed receipt and packing slip. Maurice said they told him they don't like this proposed policy because if they're ordering a \$600 coat, that's a lot to put on their personal credit cards. He has talked to them and they will get their paperwork to Ruth. Robin said they have been talked to many times about this and we still have the problem. Further discussion was held. No action was taken on this policy.

Robin advised the Board that our police department is becoming very concerned about the sale and use of synthetic drugs in the township. Because these drugs are synthetic, they are not regulated and are not illegal. They are referred to as "bath salts" and are comparable to an extended "high" like you would get from cocaine and methamphetamine. It causes hallucinations and paranoia and the police are dealing with some very dangerous situations because of it. The hospital is getting patients that have used this and there have been 3 deaths in the county since January where "bath salts" were found in their systems. Robin contacted Tina Pickett and Senator Yaw concerning the regulation of these synthetic drugs. Tina said the House is entertaining a bill on Monday, April 4th to ban this. Arnie Kriner from Senator Yaw's office sent Robin a link to an article about Mount Carmel Township, Northumberland County, adopting an ordinance to ban the sale, possession, delivery and/or use of synthetic cannabis and synthetic drugs. Robin called Mount Carmel Township and got a copy of their ordinance. Since our attorney is on vacation, Chief Hurley sent the ordinance down to the District Attorney's office to see if this is something we can do at the local level. On motion of Robin, second by Maurice, it was unanimous to have Robin advertise this ordinance for adoption at our April 12th special meeting if it is determined by the District Attorney's office that we can legally adopt this.

Ron read the monthly report totals. He also read from Ed's report that the Planning Commission held a workshop with Walmart on March 28th. It was for information only, and allowed the project engineer and the review engineer to go over their issues at the same table. On motion of Cheryl, second by Maurice, it was unanimous to accept the monthly reports as presented.

On motion of Maurice, second by Jack, it was unanimous to approve the monthly bills for payment as presented. A complete listing of revenues and expenditures is on file in the office of the Treasurer.

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Correspondence/Information was as listed in the meeting agenda. On motion of Ron, second by Maurice, it was unanimous to send Robin and Eddie to the 2011 Municipal Workshop in Towanda on April 5th from 8-4, and to pay their salaries for the time they would have worked. Clif Cheeks also would like to attend this workshop.

Rita Jo Swingle asked how the meeting on Greens Landing got scheduled? Cheryl said she called Arnie Kriner and told him something needs to be done about the dangerous traffic situation that involves Routes 199/220 and Wolcott Hollow Road. PennDOT will not listen to us, and their response to us is always that they don't see a problem there. We try and try and they will do nothing about this. Rita asked if this was a public meeting and it is. Cheryl said send letters or emails to your legislators and let them know what the impact is to you, and ask why this is not being pushed. Cheryl wants to hear PennDOT tell her why they think this is OK.

John Wilkinson commented that the water from driveways in the road really is a big issue. Riverside Drive is terrible because of this. He also asked who would get the money from the new gas lease – the Parks or General Fund? We don't know as we have not been approached for a new lease.

Chairman Reagan took the Board into executive session at 8:50 PM for personnel issues. The regular meeting reconvened at 9:30 PM.

Robin was instructed to set up interviews for the Assistant Zoning Officer, and to have Ron, Ed and herself conduct these interviews.

On motion of Jack, second by Maurice, it was unanimous to have Robin place an ad for a Class A CDL heavy equipment operator as a replacement for Jim Watson.

On motion of Jack, second by Robin, it was unanimous to have Robin move forward with the arrangements for Jim Watson's retirement acknowledgement.

Ray forgot to request permission to bid materials at the last 2 meetings, so Robin requested it for him. The Board approved the bidding of materials for our April meeting.

There being no further business, on motion of Robin, second by Maurice, the meeting adjourned at 9:38 PM.

Respectfully submitted,

Robin L. Smith

ATHENS TOWNSHIP SUPERVISORS

April 12, 2011 7:00 PM

Chairman Ronald Reagan called the meeting to order at 7:07 PM. Supervisors also present were Jack Walter, Maurice Fay, Cheryl Wood-Walter and Robin Smith. Attorney John Thompson was also in attendance.

Voice of the Residents: None

Chairman Reagan turned the meeting over to Attorney Thompson for the EPSCO Zoning Map Change Amendment Hearing. Ray Earl was present for EPSCO, and was represented by Attorney Joseph Landy. Resident Thomas Byrne was also present. The purpose of the hearing was to consider their request to change their zoning designation from Residential Urban to Commercial. They are looking to rezone their entire parcel, and a portion of the NEYRON parcel across Pennsylvania Avenue. Testimony was taken by Stenographer, Linda Wettlaufer.

Chairman Reagan took the Board into executive session for deliberation at 7:22 PM. The hearing reconvened at 7:35 PM. Ron made the motion to grant the request to change the zoning designation to Commercial from Residential Urban. The motion was seconded by Jack. Attorney Thompson called for a roll-call vote, which was as follows: Mr. Walter – yes; Mr. Fay – yes; Mrs. Wood-Walter – yes; Mr. Reagan – yes; Mrs. Smith – yes. The motion unanimously carried.

Ron presented Ordinance 2011-03 to prohibit the sale, delivery, possession and/or use of synthetic cannabis and other synthetic drugs, such as “bath salts” in Athens Township. Jack said we are considering this because there have been a few deaths and a lot of bad incidents from this. Ron asked John about the penalties. He asked if our police department walks into one of the stores selling these items, do they issue them a summary offense. John said yes. Ron read the amounts from the ordinance and asked John if those were pretty standard for a summary offense. John said there usually is a spread for the amount, but this is on the low end. Ron asked what’s to stop people from continuing to sell if they’re only fined \$100-\$300. John said it’s per offense, and there could be multiple offenses. There is also the ‘and/or’ option of up to a 90-day prison sentence. John added that there is a forfeiture clause in the penalties where our officers can seize the merchandise. Cheryl added that there’s more than just selling the product in the ordinance – it’s also delivery, possession and use. Ed asked if they can be cited every day and John said yes. Robin asked if they can be cited for every sale and John said yes. Ron said he doesn’t have a problem with this, he just wants to make sure we have our bases covered.

On motion of Cheryl, second by Robin, it was unanimous to adopt Ordinance 2011-03 banning the sale, delivery, possession and/or use of synthetic cannabis and other synthetic drugs in Athens Township. The ordinance will become effective on April 18, 2011.

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Robin presented the Simonds Excavating, Inc. Conditional Use Application for a gravel mine off Wildwood Road. We set the date for this hearing on June 2, 2011 at 6:30 PM. Linda Wettlaufer was still present and said she would be able to do that hearing for us.

Ruth attended a class on Payroll Law this past week and said we need to adopt a policy to require new hires to provide their Social Security numbers prior to employment for verification through the eVerify system of which we are a member. Robin presented this addendum to our new hire policy for review and approval. On motion of Robin, second by Maurice, it was unanimous to adopt this policy addendum.

Discussion was held as to whether or not we should continue using the RUMAs or go back to posting and bonding. Ed and John had discussed the option of putting the weight limit signs back up, but allowing overweight vehicle owners/companies the choice of entering into a RUMA or posting a bond. Ed said we lost on appeal with the case of the overweight trucks on Erin Road because the weight limit signs were not posted at the proper distances. Ron asked who knows where the signs are supposed to be located? Robin said she thought the road crew should know since they are the ones who post the signs. Ed said Larry knows the distances from the intersections and they could mark where the signs need to go. Ed also advised the Board that PennDOT pulled 4 of Chesapeake's road permits because they were not keeping them up in a timely manner. On motion of Robin, second by Maurice, it was unanimous to have Larry mark the correct locations for the weight limits signs and to have the highway department reinstall them, giving the owners/companies the choice of either posting a bond or entering into a RUMA with the township, and to notify Chesapeake about this so they will be sure to have copies of the RUMA in their trucks and the trucks of their subsidiaries. John will set up a meeting with Chesapeake and Eddie so we can explain to them why the weight limit signs are up again – but to let them know that their RUMA is still in effect.

Jim and Carrie Carroll are dissolving their law partnership. Jim is taking a position near Philadelphia with Terry D. Goldberg & Associates, but he intends to keep an office in the Valley and will be here at least one day a week. We have to choose if we want to keep him as our labor attorney or if we want to find someone else. Robin sent him an e-mail to see if we would have to pay travel time if we kept him on and he said no. Cheryl asked if we would be paying the same rate if he was working for another firm. On motion of Jack, second by Robin, it was unanimous to keep Jim Carroll as our labor attorney if he confirms that we will be paying the same rate we presently pay.

On motion of Maurice, second by Jack, it was unanimous to send a \$50 donation to Hope Hospice in memory of Guiles Woodruff. Guiles was a former Athens Township supervisor who recently passed away at his home in Florida.

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Larry advised Robin that the 2002 Tahoe has been “stripped” and he is asking permission to put it out to bid. Discussion was held. Robin was directed to research Internet sites to see if we can find a site that sells ‘specialty’ vehicles where we might get more money for it (and the Hummer).

Chairman Reagan took the Board into executive session at 8:10 PM. The regular meeting reconvened at 8:19 PM.

There being no further business, on motion of Robin, second by Maurice, the meeting adjourned at 8:20 PM.

Respectfully submitted,

Robin L. Smith
Secretary

ATHENS TOWNSHIP SUPERVISORS

April 27, 2011 7:00 PM

Chairman Ronald Reagan called the meeting to order at 7:06 PM. Supervisors also present were Jack Walter, Maurice Fay, Cheryl Wood-Walter and Robin Smith. Attorney John Thompson was also in attendance.

Chairman Reagan called for the opening of the bids, which were as follows:

<u>Contractor</u>	<u>(delivered) Antiskid</u>	<u>(picked up) AASHTO #8</u>	<u>(picked up) AASHTO #57</u>
Porter's Sand & Gravel	\$9.98/ton	\$9.75/ton	\$9.50/ton
Dalrymple	no bid	\$10.50/ton	\$10.50/ton
FS Lopke	\$14.00/ton	\$9.00/ton	\$9.00/ton

FS Lopke's #8 would have to be picked up in Owego and #57 would have to be picked up in Lounsberry. The Board feels the fuel costs for hauling will far exceed the savings. On motion of Jack, second by Maurice, it was unanimous to accept the bid of Porter's Sand and Gravel for all 3 items.

The sole bid for fuel was from Williams Oil and Propane and was as follows:

14,000 gal. LSD diesel delivered	\$3.6635/gallon
11,000 gal. 87 octane delivered	\$3.4082/gallon

On motion of Maurice, second by Cheryl, it was unanimous to accept the bid of Williams for our fuel.

Six sizes and quantities of pipe with bands were bid as delivered to the township yard in one load. The large pipe (50 ft. X 10 ft.) was bid as Alz2 and also galvanized. Ray Brobst was ill and not in attendance tonight, so we were unsure which he would want. On motion of Ron, second by Cheryl, it was unanimous to table the award of this bid until our meeting tomorrow at 1:15 PM. Robin will get with Ray before then.

Voice of the Residents:

Gary Rosh of Wilawana Road had attended David Lubin's River's Edge Housing Development Zoning Hearing Board hearing last night and said Mr. Lubin stated the construction of Road C will begin in 4-5 months. Gary didn't think that was true. Robin said they are planning to let the project in August or November of this year. Ron said we are in the process of acquiring right-of-way now.

On motion of Maurice, second by Cheryl, it was unanimous to approve the minutes of March 30th and April 12, 2011 as written.

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Brian Koscelansky presented ORDINANCE 2011-04 guaranteeing the Athens Township Authority's (ATA) refinance loan. Robin asked him to confirm that this will not go against our borrowing base and he said it is self-liquidating debt and will not count against us. They have a certified engineer's report that will cover the debt service. On motion of Jack, second by Maurice, it was unanimous to adopt Ordinance 2011-04.

Richard Bean reported for the Parks and Recreation Commission. He said the greenway did get the grant to identify the trees at Round Top. The sidewalk will be installed at the composting toilet in East Athens as soon as the weather breaks. Bids are going out for the improvements to the Jim King Memorial Park for this year. The Commission did their walk-through of all the parks and things looked pretty good. Round Top Park will open May 14th. We need to set a date for the photo op with the Pat Haggerty Dancers. The Commission is looking at putting in a walking trail somewhere that will be 'family friendly'. Richard asked if the highway department would clean off the ramp at the boat launch. He asked if they planned to tar and chip Round Top Road before the park opens on May 14th. It may depend on how wet it is. Robin reported that the water passed at Round Top Park.

Robin presented the Wm. Christopher/Lori Sutton 2-lot subdivision on Mile Lane Road and Highland Drive for preliminary and final plan approval. This had been tabled at our last meeting because of 3 deficiencies, which have all now been met. On motion of Robin, second by Jack, it was unanimous to grant preliminary and final plan approval to this subdivision.

On motion of Ron, second by Robin, it was unanimous to adopt RESOLUTION 2011-04, revising our Act 537 to include all phases of the Chesapeake Athens Office Complex. The Component 3 was executed and given to David Young of Larson Design Group who will get it to DEP for approval.

Gary Rosh asked why the pump station at Camco was being pumped all day. Jack Walter said that happens when the pumps fail. Gary said this happened about a month ago, too. Jack said the automated system had called him and he called Bob Blauvelt.

On motion of Ron, second by Maurice, it was unanimous to grant a 90-day extension to the Walmart Supercenter. The new 90-day deadline will be August 17, 2011.

Ron advised the Board that their committee (Ron, Ed, Clif Cheeks and Kathie Hunter) are updating our Subdivision and Land Development Ordinance (SALDO). They have completed the stormwater and the driveway/street design sections and have gotten a quote of \$400 from Skip Schneider to do the engineering review on these sections. On motion of Ron, second by Robin, it was unanimous to have Skip review this review.

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On motion of Robin, second by Cheryl, it was unanimous to set the date for the Integrated Water Technologies Conditional Use Hearing for a water treatment facility off Wilawana Road as June 16, 2011 at 6:30 PM. Attorney Thompson will get the stenographer.

On motion of Jack, second by Cheryl, it was unanimous to have Robin submit an application to the Community Workforce Inmate Program for a road patching crew.

Jack Walter will get with Ray Brobst to look at the CDL-A applications and set a day and time to begin interviewing.

Ron said there is a Roadside Tree Care class in Clarks Summit (full day) on June 15, 2011. On motion of Ron, second by Cheryl, it was unanimous to send Randy and one other member of the road crew (besides Ray) to this class.

On motion of Ron, second by Robin, it was unanimous to ratify the signing of the IDP grant contract for Road C in the amount of \$1,250,000.

On motion of Ron, second by Robin, it was unanimous to hire Cynthia Parrish as our new Assistant Zoning Officer at a rate of \$12/hour with a 6-month probation period for 20-hours a week (10 – 3, Monday – Thursday) contingent upon negative drug/alcohol test and background check. Cynthia will start on May 9, 2011.

Ron would like to see us adopt a ‘No Tobacco’ policy for the township. He thinks it is a good idea to set a good example. He said the school district has this policy. The Guthrie is also tobacco-free.

Andy Harding has completed his assessment of the roof for replacement. On motion of Jack, second by Ron, it was unanimous to pay Andy’s invoice and to have Robin bid the roof out as a design/build.

On motion of Maurice, second by Jack, it was unanimous to accept the monthly reports as written.

On motion of Ron, second by Cheryl, it was unanimous to pay the monthly bills as presented. A complete listing of revenues and expenditures is on file with the Treasurer.

John Thompson will let C & N Bank know that we have scheduled the loan closing for this Friday, April 29th, at noon, so Cheryl will be able to attend.

Correspondence/Information is as listed in the meeting agenda.

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Robin reminded everyone of our meeting with PENNDOT and Arnie Kriner tomorrow at 1:15 PM here at our building to discuss the traffic issues in the Greens Landing area.

Robin advised the Board that she had sent a letter to Randy Williams concerning the dirt and mud being dragged out onto Elmira Street from the old Bird Realty building across from Beeman's, and requesting (again) an executed developer's agreement for the Wilawana Dandy on White Wagon Road that we have been waiting for since November of 2009. Nothing has been done about either of these issues. It was decided to have our attorney send Mr. Williams a letter to resolve these issues.

Chairman Reagan took the Board into executive session at 8:30 PM for personnel issues. The regular meeting reconvened at 9:20 PM.

On motion of Maurice, second by Cheryl, it was unanimous to pay Jim Watson for his unused sick and vacation days, that equals a lump sum of \$9,835.28 which includes 25 vacation days earned in 2011 with 10-1/4 vacation days carried over from prior years; and 15 sick days earned in 2011 with 50 carried over from prior years for a maximum of 65 sick days at a rate of \$60/day as per the union contract. This is to be in a check separate from his last paycheck, as it cannot be used in the calculation of his pension payment.

There being no further business, on motion of Robin, second by Cheryl, it was unanimous to adjourn the meeting at 9:40 PM.

Respectfully submitted,

Robin L. Smith
Secretary

ATHENS TOWNSHIP SUPERVISORS
April 28, 2011 Special Meeting 1:15 PM

Chairman Ronald Reagan called the meeting to order at 1:15 PM. Supervisors also present were Jack Walter, Maurice Fay, Cheryl Wood-Walter and Robin Smith.

Ron introduced Jason Krise of Tina Pickett's office and Arnie Kriner of Senator Yaw's office, as well as the following attendees from PENNDOT: District 3 Executive Engineer, Sandra Tosca; 12-Year Program/Smart Transportation/Bridge Program Engineer, Mike Mausteller; Traffic Unit Supervisor, Alan Keller, PE; Traffic Unit Studies & Work Zones Engineer, Bill Houpt; and Bradford County Maintenance Office Supervisor, Bob Thorne.

Ron turned the meeting over to Cheryl. Cheryl said she asked for this meeting a couple months ago with Arnie. She expressed our frustration with not being able to do anything unless the Commonwealth approves. We have to answer to our residents and we can't because it's not our road. We feel frustrated. There is increased gas traffic now, but this intersection has always been a problem. Cheryl remembers circulating a petition about the Wolcott Hollow/220 intersection 16 years ago – with no results. She said Hickory Heights is a fine housing development, but wouldn't buy a house there because of this problem. School buses, high school drivers are added traffic. There are times when you can go, but it's very rare. Cheryl said Maurice told her he sat there 17 minutes waiting to get out onto 220 one day. Cheryl said it can take 7-8 minutes to get to the stop sign, and that doesn't count the wait to pull out.

She has traveled a lot. Cities have millions of people. We have just a fraction of that amount and this area seems very urban. There is a real safety factor here. Just sit and watch. People take chances when they pull out. An added problem is the expansion of the Dandy Mini Mart on that corner. Will all due respect, PENNDOT says it's all OK. We used to have people cutting through just to turn right – now they pull in to turn left as well. This cuts off people at the stop sign.

This frustration needs to be addressed. She doesn't know if a traffic signal is the answer. One day a tractor trailer with a large load couldn't turn onto Wolcott Hollow Road because the traffic was in the way at the stop sign. This caused a real back-up of traffic in all directions. You can see by the number of people in attendance at this mid-afternoon meeting on a weekday that this is a very big concern to our residents. Just one day's notice in the media brought these people out. We need this to be pushed to the forefront. We have faced this way before the gas industry appeared.

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Cheryl held up the folders of accidents, traffic citations and MVAs that have occurred in this area in the last 3 months. This is a busy area. We need to get this addressed.

Sandy Tosca said PENNDOT recognizes there are gas industry related traffic pattern changes. Traffic counts can change every 6 months. The traffic counts need to be updated. They are trying to formulate projects that can correct things. She has recognized the letters that we have sent. They are here today to listen to what we are seeing. Truck traffic does have an impact. After they compile the information and do the traffic counts, they will come back and discuss what they've found. There will be a meeting on July 13th to discuss projects for the 12-year program. Brian Baker of NTRPDC will be testifying at the TIP hearing on September 15th in Stroudsburg. We can make the public aware that they can submit written testimony for this hearing and coordinate it through Brian.

Bill Cotton of Cotton's Concrete said until the traffic counts and the hearing are done, we won't know anything? Sandy said they will come back after the traffic counts are done. Bill asked how long it will be before something is done, once the data is compiled. Sandy said it would probably be 1-1/2 to 2 years as long as no environmental issues are found.

Robin asked that they do the traffic counts while school is in session, and also include a Monday when the stockyard is open. The last day of school is June 15th, and Sandy said they will do the traffic counts the last week in May or the first week in June. Ron added that Wolcott Hollow to Erin Road is a shortcut to the SRU school and there is a lot of school traffic through there.

Maurice said we asked that the 40 mph at 199 be taken back further north, and instead, they moved it ahead 150 yards. The speed limit needs to be reduced before you get to 199. People need to be slowed down.

Sandy said people drive the speed at which they're comfortable. She added the 40 mph speed limit got moved down because of an old speed study. Bill Houpt said they can't reduce it just because they want to. Maurice added that the State Police can use radar, but we can only use VASCAR.

Ron said it's hard to judge the speeds when you're trying to pull out of 199. It's 45 mph heading north and 55 mph heading south.

Vivian Chisari of Erin Road said she was going to a doctor appointment on August 26th. She said her heart almost stopped when this girl pulled out in front of her from 199. They hit so hard the girl's car spun around. She and her husband have pain and injuries that will never be gone. Their bill is \$16,000 – the girl was under-insured. They came and spoke to Robin and sent a letter to PENNDOT. PENNDOT answered and sent a copy to the township. The girl testified in the courtroom that no one was coming from the south. She had a 3-month-old baby in the car. She pulled out because “she waited 10 minutes already”. Vivian doesn't think this will be resolved without a traffic light or with cameras. This accident totally altered their lives.

Cheryl said when you travel through congested areas and there's a long traffic light, you have patience because you know you'll get your chance. The frustration here is very high.

Vivian said ever since her accident, 199 puts fear in her. It is VITAL to save our people in this area.

Jim Lister of Hickory Heights said he appreciates PENNDOT coming up today. He said this is not rocket science – spend 2 hours watching the traffic and you'll see. He said another problem is people making a right turn off 220 going south – are they turning onto Wolcott Hollow Road or into the Dandy Mini Mart? We need a fix there very quickly. How many people need to be hurt or killed before something is done?

Rita Jo Swingle of Abbey Lane said 2 years is unacceptable. She said one year ago on 3/23/2010 and 4/27/2010 the Athens Township Zoning Hearing Board, of which she is a member, met to hear the Randy Williams expansion proposal. The subject of the traffic at Wolcott Hollow/220/199 came up and was so severe that it took two hearings and 6 hours of testimony! She said the PENNDOT 2004 traffic study stated the volume of traffic had increased. The study was done because of a fatal accident. Traffic has dramatically increased. She stated several ideas/recommendations from the 2004 traffic study – none of which have been done. She also referred to a letter from Athens Township Police Chief, Larry Hurley, that stated he feels the expansion of the Dandy would increase the traffic problems in that area to a dangerous level.

Karen Coats of Hickory Heights said she's lived there for 8 years and the traffic has increased 10-fold – it has easily doubled in the last 2 years. These problems existed long before the gas companies arrived. She has a teenager who is going to start to drive and she is extremely concerned. People pull out in frustration.

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Her biggest concern is that the truck traffic will be taken into consideration. It's not about the truck traffic. It's about the increased traffic. With the proposed influx of people it will double or triple. This has been a concern for years. The fatality was before the gas companies arrived. There have been life-impacting injuries, like the Chisaris. There was a school bus accident. This is a 4-way intersection. How did Ulster get approved for a traffic signal on a 3-way intersection in a 30 mph zone?? It doesn't make sense.

Dan Stark of Clinton Street asked how long did PENNDOT know about the meeting – shouldn't they have had a study done already? Sandy said they can't lay the traffic cables until they are sure there will be no more plowing.

Cheryl said people are pulling out because of frustration. There are a lot of teen drivers. One told her she was tired of waiting for people at the stop sign. She said 'if you just pull out, those people coming down 220 will see you and they'll stop'. They are immature and inexperienced drivers.

Bob Smith of Pump Station Hill Road asked that when they do the traffic study on 220/199/Wolcott Hollow, they also need to do one on Elmira Street. Sandy said she recognizes there is a greater need for traffic studies. They need information from planning groups, etc. to help them with their evaluation. Bob said before a course of remediation is decided, they need to come and sit there and watch the traffic. He said the other day someone was actually parked in the driveway entrance of the Dandy.

Vivian Chisari added that the shrubs at the corner block sight distance, and trucks parking on the shoulder do as well.

Rita Jo Swingle said the Zoning Hearing Board made recommendations to Randy Williams, but they were not implemented.

Don Johnson was concerned about the trucks in and out of Hawbakers (former Cole's Construction) on 220 – they've made that operation 2-3 times larger.

Ron said we're lucky that we're getting the 'clean' end of Chesapeake – the headquarters, housing facility, etc. Rita Jo said in East Athens there are 3 drilling right behind her house.

Ron said we don't want to become a 'Wysox'. He sympathizes with PENNDOT having to resolve that.

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Roman Rosh of Roman Way, South Waverly, said he appreciates PENNDOT, Arnie and Jason being here today. He said they should look at picking up the litter along the highways. PENNDOT should also look at access management and gave some examples of changes he feels could be made to address his concerns.

Ron thanked PENNDOT, Arnie Kriner, Jason Krise and the residents for coming.

The bid award for pipe had been postponed until this meeting so we could clarify an issue with Ray Brobst. The bids were as follows:

Ferguson Waterworks	\$24,010.30
Bradco Supply Company	\$24,119.15
Chemung Supply Corp.	\$25,752.51

On motion of Jack, second by Robin, it was unanimous to award the pipe bid to Ferguson Waterworks.

There being no further business, on motion of Robin, second by Ron, it was unanimous to adjourn the meeting at 2:35 PM.

Respectfully submitted,

Robin L. Smith
Secretary

ATHENS TOWNSHIP SUPERVISORS

May 12, 2011 12:00 Noon

Chairman Ronald Reagan called the meeting to order at 12:05 PM. Supervisors also present were Jack Walter, Maurice Fay, Cheryl Wood-Walter and Robin Smith.

Voice of the Residents: None

Terry Depew of Citizens and Northern Bank was present to have us sign the corrected paperwork for our \$500,000 capital loan. Since the loan paperwork submitted did not allow for the 2-year line of credit, but instead for us to draw the entire amount and begin payments back right away, we needed to correct the paperwork. It was not our intention to draw the entire amount, but because of time restraints that is the most viable option. We will open a separate account for this money and put our reimbursements back into the account, from which we will be able to operate an in-house line of credit. The funds will be used for capital items only. On motion of Robin, second by Ron, it was unanimous to borrow the entire \$500,000 immediately, place it in a new account, and begin the monthly payments to the bank from General Fund, with the option of repayment from the capital loan fund if approved by the Board; to pay the Road C Right-of-Way acquisition fees and the condemnation fees as soon as they are calculated by Attorney Thompson; and to require a motion of the Board to remove funds from this account. Terry Depew will bring a check this afternoon.

On motion of Maurice, second by Jack, it passed to hire Bob Birks to replace Jim Watson in the Public Works Department at a rate of \$12.50/hour, contingent upon passing the background check and drug/alcohol screening; get his CDL-A license within 3 months from his date of hire, and receive all benefits afforded by the collective bargaining unit. All voted in favor except for Ron, because he is not in favor of filling the position.

On motion of Ron, second by Cheryl, it was unanimous to approve the closure of Pennsylvania Avenue on June 15, 2011 from 5 – 9 PM for graduation. Robin will advise Larry and Ray.

On motion of Robin, second by Ron, it was unanimous to sign the application for our 2012-2016 Bridge Inspection Program through Bradford County.

Discussion was held on the seat belt grant. This will only cover overtime salary and will not cover any employer expenses such as FICA, medicare, unemployment, pension, etc. Robin said the grants that don't cover the employer expenses are one of the things that puts us behind financially because we are unable to budget for this overtime. On motion of Jack, second by Maurice, it passed, with Ron voting in favor, to execute the grant application. Cheryl and Robin voted no.

The date of June 23, 2011 at 6:30 PM was set for the Rivers Edge Zoning Map Amendment Hearing. Robin will prepare the legal notice & John will get a stenographer.

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Ron informed the Board that the Thomas Avenue bridge consultant selection committee met last week and had reviewed all the Statements of Interest. We received 15 altogether, but two had not followed directions and were disqualified. Robin typed up the results and gave them to the Board. Discussion was held. On motion of Ron, second by Robin, it was unanimous to recommend Borton-Lawson to PENNDOT as the design engineer and CECO Engineering as the construction inspection engineer. Robin will forward the information to Rob Renn at PENNDOT.

PENNDOT will be conducting manual traffic counts on Thursday, May 19, 2011 at 220/Wolcott Hollow Road and 220/199 from 7 AM to 11 AM and again from 2 PM to 6 PM. This is to record turning movements and check delays at these intersections.

Robin told the Board Elaine had taken her lunch hour to go to a viewing for her cousin at Lowery's – we do not have bereavement time for 'cousins'. The Board approves the bereavement time for Elaine separate from her lunch hour.

Robin advised the Board that we are unable to sell the Hummer – we would have to return it to Harrisburg. Larry chooses to keep it. On motion of Ron, second by Cheryl, it was unanimous to have Robin advertise the Tahoe we just replaced for public bidding.

Ray asks permission to bid cement blocks again this year. On motion of Ron, second by Maurice, it was unanimous to bid out the blocks.

Chairman Reagan took the Board into executive session at 12:36 PM for pending litigation. The regular meeting reconvened at 12:52 PM.

On motion of Robin, second by Ron, it was unanimous to adjourn the meeting at 12:54 PM.

Respectfully submitted,

Robin L. Smith
Secretary

ATHENS TOWNSHIP SUPERVISORS

May 25, 2011 7:00 PM

Chairman Ronald Reagan called the meeting to order at 7:02 PM. Supervisors also present were Jack Walter, Maurice Fay, Cheryl Wood-Walter and Robin Smith. Attorney John Thompson was also in attendance.

Voice of the Residents:

Shellie Northrop of Sayre, PA submitted an informational sheet on SB1100, which concerns natural gas impact fees and zoning. She requested the Board review and contact our legislators. She also would like to see Aqua Pennsylvania have a valley-wide meeting to explain how they're protecting our water well.

Bob Smith of Pump Station Hill Road said he was talking with Pete Webster who told him that when we widened Pump Station Hill Road about 10 years ago, we said we were going to tar and chip the road. Jack and Robin were both on the board 10 years ago and we do not recollect that. Bob said there is also a problem with speeders on this road, and the police are welcome to use his driveway for enforcement. Maurice asked about the site distance at his driveway because VASCAR requires 200 ft. in each direction. Bob said there would not be enough site distance. Robin said maybe just the presence of the police car will help the situation. Bob said he will get the times when the speeding is the worst and Maurice will have an officer sit in that location.

Aileen McEvoy of 19 W. Pine Street in Waverly, NY asked the Board what their opinion was on the gas company. They seem to be locating in Athens Township and we seem to want them to. Robin said the township is in a prime location for transportation with I86 and SR 0220. When they want to develop something in the township, if they meet the criteria of our ordinances, we have to grant approval. Cheryl said they have the right to apply and get their due process. John Thompson explained this further. Shellie asked if our zoning ordinance had been updated to include the oil and gas industry. Ron said we updated our ordinance last year, but will need to go back and do more. He said we haven't been hit hard with wells yet – we seem to be getting hit with the “clean” part. He said they've been drilling in Pennsylvania for 150 years. Aileen said horizontal drilling is very dangerous.

Ron asked for a change on the minutes of May 12th. The draft minutes read that he “...voted no because he was not in favor of replacing Jim”, and he would like it to read that he “...voted no because he was not in favor of filling the position”. On motion of Ron, second by Cheryl, it was unanimous to approve the minutes of May 12, 2011 with that correction, and to approve the minutes of April 27 and April 28, 2011 as written.

Clif Cheeks presented the Chesapeake 5-lot subdivision by lease off Mile Lane Road for review and approval. There were no deficiencies. This is for the former Blue Swan

airport property. On motion of Ron, second by Robin, it was unanimous to grant preliminary and final plan approval to this subdivision.

Ed Reid had submitted a letter concerning the Chesapeake Athens Office Complex Phase III off Mile Lane Road. Ron read the letter to those in attendance. Chesapeake had submitted new plans for Phase III that Ed said needed to go back to Planning Commission because there are major revisions. The plan that Planning Commission recommended for approval is not the same plan. On motion of Robin, second by Cheryl, it was unanimous to table this proposal until Planning Commission is able to review it at their special June meeting, after which we can approve it at one of our special meetings in June.

The date of July 6, 2011 at 6:30 PM was set for the Todd/Gemma Campbell Conditional Use Hearing for a water withdrawal site to be located off Front Street on the old Max Cohen junkyard property. Robin will do the legal notice and John Thompson will secure a stenographer.

Richard Bean reported for the Parks and Recreation Commission. The sidewalk for the composting toilet at the Jim King Memorial Park will be completed next week, after which Barry will complete the seeding. They opened the bids for the basketball & volleyball courts project and will accept the low bidder as long as everything is in order. John Thompson said all the bids were in order, and were as follows:

Mayo & Son Masonry	\$39,987
M. R. Dirt – Charles Lawton	\$49,195
Boland's Excavating	\$50,999

On motion of Robin, second by Cheryl, it was unanimous to award the bid for this project to Mayo & Son Masonry.

Richard said the trail identification project has not started because of the wet weather. The park opened May 14th. The Highway Department cleaned the boat ramp and parking lot at Tozer's Landing, and has also tarred and chipped Round Top Road in the park. The cost was \$42,000 to the Parks Commission. They had budgeted \$20,000 and the new estimate was \$53,000. The increased cost was because of the price of oil, a third layer on the road, and the inclusion of the parking lots. Our pavilions are really getting a lot of use and we could use more pavilions. Richard said the newspaper did a photo shoot with the Pat Haggerty dancers for the playground equipment they donated to the park. Robin asked Richard if he wants us to continue to collect a \$25 deposit for the volleyball since the nets are now up permanently. Richard said we do not need to collect the deposit.

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Athens Township Authority sent a letter requesting the relocation of the sewer lines for the Road C project be paid for out of the project funds. We will table this until after our right-of-way meeting with PENNDOT. Bob Blauvelt was not present this evening.

Ray Brobst said Bob Birks started in the highway department today. He thanked the Board for hiring a replacement for Jim Watson. Ray and Jack Walter have set up a demo of the Asphalt Zipper on June 16th on Erin Road. Rent for this equipment is \$10,000/month. Ray said the pipe replacement on Jacklin Road will require engineered drawings and a permit from DEP. Robin told him to call Warren Knapp as he did our engineered drawings for the pipe on Orcutt Creek Road. Ray will call Warren. Ray said Orcutt Creek Road needs some repair and we need DSA to repair it. He needs to get it from Hawbaker's and he will need to set up an account with them. On motion of Robin, second by Maurice, it was unanimous to have Ray set up an account with Hawbaker.

Discussion as to the re-posting of the weight limit signs was held. Ray said Larry has not marked the locations. Robin asked Maurice to get Larry on this as soon as possible. Maurice will talk with Larry. Ron asked Ray what he plans to do with the blocks on Tutelow Creek. Ray said he plans to use them along the road and he does have a creek permit. He also said they have Moore Road back together. He asked about Tozer's Landing Road – whether we need to repair it or Chesapeake? Robin said if it's normal road maintenance, we do it. If it's excess maintenance, Chesapeake will do it. Robin will ask Ed to make a determination on these repairs.

On motion of Jack, second by Robin, it was unanimous to proclaim June 25, 2011 as James M. King Day and to give a donation of \$100 to the Jim King Run from the township on that day.

The date for the meeting with PENNDOT for Road C litigation was set for June 9, 2011 at noon. This will be executive session.

On motion of Ron, second by Maurice, it was unanimous to allow Robin to attend the equipment show on September 8th and to pay her salary for the time she would have worked. She has been asked to moderate the township roundtable discussions.

John Thompson presented the landlord/tenant ordinance for review. He explained that this ordinance will help correct inconsistencies in the tax rolls by requiring landlords to provide certain information to the township and to report changes in tenants as they happen. Robin asked who would enforce this – the police or zoning officer and John said probably Ed would enforce this. Ron questioned our right to request the Social Security numbers (SS#) of tenants with the privacy laws. Discussion was held. John will remove the SS# requirement. Roman asked if this is for all landlords and tenants and John said it

is for residential, not commercial. Roman asked if the purpose was to get the wage tax and John said it was. Roman asked about Chesapeake's 5-lot subdivision and John said again this is for residential, not businesses. Ron gave the example of the RVs moving into the empty lots in the trailer courts. Because they're RVs, they don't require a permit from the tax collector, so these people are not accounted for. We will review the ordinance and decide at our next meeting if we need to make any changes before we authorize John to advertise this for adoption.

Ron read the summary of the monthly report. There was a treasurer's report from the fire company, but no chief's report. On motion of Maurice, second by Cheryl, it was unanimous to accept the monthly reports as presented.

On motion of Robin, second by Ron, it was unanimous to pay Attorney Thompson's invoice for our loan (\$3500) from General Fund and not from the Road C funds.

On motion of Cheryl, second by Jack, it was unanimous to pay the monthly bills as presented. A complete listing of revenues and expenditures is on file in the Treasurer's office.

Correspondence/Information was as presented in the meeting agenda. Ed had requested a supervisor go with him to the PENNDOT scoping meeting for Chesapeake Phases 3 and 4 (for driveway location and traffic flow) on June 3rd at 10 AM in Montoursville. Jack Walter said he would go. Robin will go if Jack is unable to go.

Ron referred to an article in the most recent Township News concerning the deadlines for the new road sign regulations. Robin asked Jack to get with Ray about doing an inventory of ALL signs (except the street name signs which are compliant) before budget time so we will be able to plan for this.

Maurice said he wants to get a meeting together of the Fish Commission, Bradford County Conservation District, DEP and our legislators to do something about cleaning the fallen trees out of the creeks.

Ron went to the COG meeting at which Janet Lewis said the townships have a liability if they do not issue permits for overweight, oversize trucks on their township roads and could be fined by the State. Robin talked with Greg Dibble at Municipal Services and he said if we have nothing in place, we have no liability whatsoever. He added that if a township chooses to do so, they would have to measure all the roads for width and height of wires or other structures and get the permits issued in the very small window of time. It is a totally different issue from the posting and bonding requirements. Greg said he is not aware of any requirement for townships to issue overweight/oversize permits.

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Bob Smith of Pump Station Hill Road asked about us re-installing all the weight limit signs – ‘you put them up, take them down, put them up.....’. Ron said they were not needed for the RUMA agreements, but are needed for others who do not have a RUMA. Robin added that the signs were installed improperly and we will now be doing it correctly. Maurice said we lost a case because the signs were not properly installed. Ron also reminded us that bridges need a separate permit when bonding a road.

Chairman Reagan took the Board into executive session at 8:10 PM for personnel issues and pending litigation. The regular meeting reconvened at 9:27 PM.

There being no further business, on motion of Cheryl, second by Ron, it was unanimous to adjourn the meeting at 9:28 PM.

Respectfully submitted,

Robin L. Smith
Secretary

ATHENS TOWNSHIP SUPERVISORS

June 2, 2011 6:30 PM

Chairman Ronald Reagan called the meeting to order at 6:36 PM. Supervisors Jack Walter, Maurice Fay, Cheryl Wood-Walter and Robin Smith were also in attendance, as was Attorney John Thompson.

Ron welcomed everyone to the meeting and introduced the Supervisors to those in attendance. He then turned the meeting over to Attorney Thompson to conduct the Simonds Gravel Mine Conditional Use Hearing. Rick Simonds is proposing to mine 50 acres off Wildwood Road. This will be on the Atchison parcel to the north of Wildwood Road. Rick Simonds and Michelle DeWitt were present for Simonds Excavating, Inc., along with their engineer, Tim Gorley. Testimony was taken by a stenographer from Verbatim, Inc. There were approximately 50 residents in attendance.

Chairman Reagan took the Board into executive session at 8:45 PM for deliberation. The hearing reconvened at 9:03 PM.

Robin Smith made the motion to deny the Conditional Use application, and Maurice Fay seconded the motion. Attorney Thompson conducted the roll call vote, which was as follows (yes being 'deny', no being 'approve'): Mr. Walter – yes; Mr. Fay – yes; Mrs. Wood-Walter – yes; Mr. Reagan – yes; Mrs. Smith – yes. The Conditional Use application was unanimously denied. The hearing concluded at 9:06 PM.

Discussion was held on the proposed Landlord/Tenant Ordinance. Ron asked if the landlord form was to be adopted as part of the ordinance, and it will not. It will be adopted by resolution. On motion of Ron, second by Cheryl, it was unanimous to have Attorney Thompson advertise this ordinance for adoption at our June 29th meeting.

PENNDOT requested a meeting to present the results of the traffic study they conducted on Route 220 in the area of Route 199 and Wolcott Hollow Road. We set the meeting date as June 28, 2011 at 11 AM.

Robin advised the Board that our application for work-release inmates has been approved. Jack will get with Ray to see when we should start them.

Chairman Reagan took the Board into executive session for personnel at 9:12 PM. The regular meeting reconvened at 9:17 PM.

On motion of Ron, second by Cheryl, it was unanimous to adjourn the meeting at 9:18 PM.

Respectfully submitted,

Robin L. Smith, Secretary

ATHENS TOWNSHIP SUPERVISORS

June 9, 2011 12:00 noon

Chairman Reagan called the meeting to order at 12:06 PM. Supervisors Robin Smith, Jack Walter and Maurice Fay were present, as was Attorney John Thompson. Supervisor Cheryl Wood-Walter was at work and unable to attend. This meeting was with members of PENNDOT: H. Virginia Feigles-Kaar, Lenny Confer and Tom Hall regarding the acquisition of right-of-way for the Road C project.

Chairman Reagan took the Board into executive session at 12:07 PM for pending litigation. The meeting reconvened at 1:14 PM.

There being no further business, on motion of Robin, second by Ron, it was unanimous to adjourn the meeting at 1:14 PM.

Respectfully submitted,

Robin L. Smith
Secretary

DRAFT

ATHENS TOWNSHIP SUPERVISORS

June 16, 2011 6:30 PM

Chairman Ronald Reagan called the meeting to order at 6:37 PM. Supervisors also present were Maurice Fay, Cheryl Wood-Walter and Robin Smith. Jack Walter was absent. Attorney John Thompson was also in attendance.

Ron introduced the Board and turned the meeting over to John Thompson to conduct the Integrated Water Technologies Conditional Use hearing to locate a fracwater treatment facility in the Valley Business Park just off Wilawana Road on King Lane. Representatives from Integrated Water Technologies included Barbara Res, Anthony DiTomasso, Dr. Hugh Archer, and William Bisceglia. Testimony was taken by stenographer, Charis Nankivell of Steno Reporting.

Chairman Reagan took the Board into executive session at 9:36 PM for deliberation on this matter. The hearing reconvened at 10 PM. Maurice Fay made the motion to deny the Conditional Use application. Motion was seconded by Robin Smith. Roll-call vote was as follows (with "yes" being deny and "no" being approve): Mr. Fay – yes, Mrs. Wood-Walter – yes, Mr. Reagan – yes, Mrs. Smith – yes. The application is unanimously denied. Attorney Thompson advised the applicant that the Board's reasons were incompatibility and safety. He will make every effort to have the written decision to them within 20 days.

There being no further business, on motion of Ron, second by Cheryl, it was unanimous to adjourn the meeting at 10:04 PM.

Respectfully submitted,

Robin L. Smith
Secretary

ATHENS TOWNSHIP SUPERVISORS

June 23, 2011 6:30 PM

Chairman Ronald Reagan called the meeting to order at 6:46 PM. Supervisors also present were Robin Smith, Cheryl Wood-Walter and Maurice Fay. Jack Walter was absent. Attorney John Thompson was also in attendance.

The Rivers Edge Housing Development Map Amendment Hearing was scheduled for 6:30 PM, but the applicant was not here. Ron asked Robin if we had any other business to attend to that we could handle while we're waiting for David Lubin. Robin advised the Board that SB 1100 had been passed out of committee and included provisions for the PUC to draft regulations for statewide zoning. She said we are being urged by PSATS to contact our legislators to strongly request this be removed from the bill. Robin had drafted a letter to that effect and read it to the Board. On motion of Cheryl, second by Robin, it was unanimous to all sign this letter and send it to Senator Yaw.

The applicant was still not present, so Chairman Reagan took the Board into executive session for pending litigation at 6:51 PM. The regular meeting reconvened at 7:08 PM.

David Lubin was still not present. John Thompson stated that the applicant, David Lubin, had submitted an application requesting that a portion of the Valley Business Park be rezoned from Industrial to Residential Suburban to allow him to construct a housing development on said portion and adjacent land currently zoned Residential Suburban. The applicant was notified that the date for the hearing was set as June 23, 2011 at 6:30 PM. It is now 7:10 PM and the applicant still has not appeared. The burden of proof is on the applicant to present his case, and he is the one who requested this hearing. On motion of Cheryl, second by Maurice, it was unanimous to dismiss/deny the application for this zoning map amendment. Stenographer Linda Wettlaufer had traveled from Danville, PA for the hearing and recorded the decision of the Board for the record.

John had reviewed the Road C Penelec utility relocation paperwork and found it to be in order. On motion of Ron, second by Robin, it was unanimous to approve, sign and execute this paperwork.

There being no further business, on motion of Robin, second by Cheryl, it was unanimous to adjourn the meeting at 7:14 PM.

Respectfully submitted,

Robin L. Smith
Secretary

ATHENS TOWNSHIP SUPERVISORS

June 28, 2011 11:00 AM

Chairman Ronald Reagan called the meeting to order at 11:07 AM. Supervisors also present were Jack Walter, Maurice Fay, Cheryl Wood-Walter and Robin Smith. Representatives from PENNDOT were Sandra Tosca, Alan Keller, Bill Houpt and Bob Thorne.

Ron turned the meeting over to Sandra Tosca. Sandra said they were here today to update the supervisors as to the results of the traffic study along Route 220 at the intersection of Route 199 and the intersection of SR 4018 (Wolcott Hollow Road), and to present some VERY PRELIMINARY concepts for these areas.

Alan Keller reported on the traffic counts. He said they did their study from May 17 – May 26, 2011. A study done in 2008 showed 9407 vehicles on SR 220 by Wolcott Hollow Road. The study in 2011 showed 16,080 vehicles – a 71% increase! There was a 47% increase in truck volume over the same period.

On SR 199, the 2008 study showed 2827 vehicles. In 2011 the study showed 3429 vehicles, which was a 21% increase. The truck volume increased 34%. On 220 the increase in vehicles was 64%, with the increase in trucks being 40%. The increase in traffic at Wolcott Hollow was higher than the increase at 199.

Turning movement counts were done at Wolcott Hollow and 220 on May 19th. Traffic queues lasted approximately 39 minutes. Cars numbered from 6 to 13 and this congestion was logged between 7:27 – 8:06 AM. From 2 to 6 PM, the longest queue was 6 minutes to clear 2 – 5 cars. Robin asked if we can get a copy of this data and Alan said he will get her a copy.

Alan said they made changes to southbound 220 to have a single lane when you reach the intersection of 199. That has made an improvement in aggressive driver behavior in that area. On 199, there could be 7 – 10 cars waiting to get out. They noticed more vehicles in the PM tests – including one water truck that finally pulled out slowly and forced traffic on 220 northbound to stop. They are confident this would meet the criteria for signalization at both intersections.

Bill Houpt reviewed the crash history. He said there were 36 crashes, with 20 being reportable. Five of these occurred in the intersections. These were from the 2011 data the township supplied them at the last meeting.

The options were then presented. To install offset right turn lanes southbound on 220 at Wolcott Hollow and northbound on 220 at 199, the cost would be 550K - 650K at 199 and 450K – 500K at Wolcott Hollow. To install signals without the turning lanes would be 200K – 250K just for the signals. Sandra reiterated that these are VERY BASIC

PRELIMINARY CONCEPTS AND COST ESTIMATES based only on the traffic data. No studies have been done.

In order to get this project on the 12-Year Program, we would need to give testimony at the hearing in Stroudsburg on September 15th. Testimony can either be 'live', or written. Written testimony should be submitted to Brian Baker of NTRPDC. The project would be under Federal funding, which would be an 80/20 match just for the signal. The roadway would be a match of Federal and State dollars. The township would be required to maintain and energize the signals. Alan will get summarized data to Robin and Brian will get the guidelines and forms to her.

Robin asked if this project would have a high enough priority to move it up the list and Sandra believes it does.

Ron stated that when the Dandy proposed their expansion, we asked PENNDOT to look at his driveways and we were told that there was not enough traffic to warrant any changes and that he would not need to alter his driveways. Ron said when someone is trying to pull out onto 220 from Wolcott Hollow, and someone is also trying to pull out from the Dandy, they block each other's view. Sandra said they will pull the permit and look at it. Rita Swingle said the Zoning Hearing Board placed conditions on the Dandy expansion approval. We need to pull that decision.

Jack Walter said there is a water withdrawal site on 199. Chesapeake broke ground on the airport. This will increase the volume of traffic through this area. Sandra said PENNDOT doesn't know what growth there will be – we need to put that in our testimony. Ron added that sewer and water will be moving further south down 220 and that will bring growth. Alan said their estimates are generally 1-2% and you could sometimes see 60-70% in 10-20 years. We're experiencing that now.

Ron asked how much we can dictate when a driveway is going onto a state highway. Sandra said we can apply our zoning regulations. Cheryl asked if we can get a copy of the original HOP and Sandra said they would get one to us. Robin brought up the issue of people cutting through the Dandy to get to 220. It used to be they would do it to turn right, now they do it to turn left as well. Ron said we can't enforce a "No Left Turn" sign because the property owner would have to do that. Ron said he liked the turning lane concept on 220.

Alan Keller said he would get the summarized data to Robin. We need to get this on the 12-Year Program. It is on NTRPDC's long-range plan, so that will help. Rita asked if including the 2004 traffic study will make a difference. Sandra said with the 2008 study and this new data, we have more than enough to show the project needs to be done.

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Buddy Crockett asked if the study indicated dramatic changes, would that move it up sooner than the projected 2 years? Sandra said no, as other studies, right-of-way acquisition, modeling, turning lane designs, etc. will make it at least a 2-year project.

Sandra said the only way to get funding is through the Federal Highway Administration. This will require a 20% local match. Roadway portions would be Federal/State funds. It was also mentioned by PENNDOT that the township could start the project right away if they were to accept 100% funding responsibility. Engineering, however, would still put the project out about 2 years. SRs 4018, 220 and 199 are PENNDOT roads.

Bob Smith asked how long ago the 199 bridge was replaced, and if that was Federal or State money. Sandra said that project was funded with bridge funds. Bob added that people going south on 220 might get confused if they think the turning lane is for the Dandy. PENNDOT added that the traffic counts on 199 were delayed until Chesapeake started up their operation again. The Chesapeake office complex is the next problem intersection. Robin said that study is already being done in the HOP process.

Cheryl expressed concern about coming to a signal after you were just going 55 miles per hour and you're not expecting to have to stop – especially in the winter. Alan said a signal is not a safety device. They would probably install advance warning devices, and whatever else they can do.

Mike Murphy said they should also consider the traffic from the Glenn O. Hawbaker plant that is located on 220. That has increased in size considerably.

The Board thanked PENNDOT for coming. Chairman Reagan took the Board into executive session at 12:02 PM. The regular meeting reconvened at 12:22 PM.

There being no further business, on motion of Ron, second by Maurice, it was unanimous to adjourn the meeting at 12:23 PM.

Respectfully submitted,

Robin L. Smith
Secretary

ATHENS TOWNSHIP SUPERVISORS

June 29, 2011 7:00 PM

Chairman Ronald Reagan called the meeting to order at 7:03 PM. Supervisors also present were Jack Walter, Maurice Fay, Cheryl Wood-Walter and Robin Smith. Attorney John Thompson was also in attendance.

Chairman Reagan called for the opening of the bids. The first was for the sale of the 2002 Chevy Tahoe – as is, and the bids were as follow:

Sulli Motors	\$1,678
Chicago Motors, Inc.	\$ 407 (no bid security)
Grace Quality Used Cars	\$1,266

On motion of Jack, second by Robin, it was unanimous to accept the bid of Sulli Motors.

Next was the bid for concrete blocks (2’x2’x4’ and 2’x2’x8’). Porter’s Concrete was the sole bidder - \$50 each for the 4 ft. blocks and \$65 each for the 8 ft. blocks. On motion of Maurice, second by Jack, it was unanimous to award the bid to Porter’s Concrete.

Voice of the Residents:

Mr. Martin Hill said he sent a letter to the Board and asked if everyone had received it. Robin had distributed it to everyone. He said he lives on a cul-de-sac, and the previous neighbor encroached into the cul-de-sac with their fence. Mr. Hill said this makes it so trucks can’t turn around. Damage is done by the plow. They approached the former owners to put the fence back, but they said no. The Hills contend that the neighbors used the township property to expand their yard. Mr. Hill said they made sure everyone knew this was an encroachment before the new owner bought the house. In the winter the snow piles up. A fire truck can’t turn around. The Hills are very conscious of the new owner’s small front yard. Ron asked Ray if it is a problem with the snow at this cul-de-sac, and Ray said it is not a problem to us – only the people on the cul-de-sac are having a problem with it. Robin asked Ray to confirm that when they plow a cul-de-sac, they push the snow to ‘12 o’clock’ and ‘3 o’clock’ no matter how big or small the cul-de-sac is, and Ray said yes. John Thompson asked the Hills if the fence had been there 34 – 40 years and they said it had. John said the neighbor could claim adverse possession after 21 years. Mr. Hill said adverse possession doesn’t apply to local government entities. Ron asked Mr. Hill how long they had lived there and he said 34 years. Ron asked why they waited until now to complain about this. Mr. Hill said they had complained before, but they’ve finally had enough. All they’re asking for is 7-8 more feet so the trucks can turn around. Robin asked Ray if 7 – 8 feet more would allow the plows to turn around and he said probably not. The cul-de-sac is 75 – 80 ft. in diameter. Robin asked John that if we do anything, would we need to bring it up to spec (120 ft. diameter), and John said yes. John said if the township gets involved it would probably be through a court action. Robin said if it’s been there for 34 years, and the highway

department doesn't have a problem with it..... Jack said the Hills have stones that are right at the edge of our road.. at which time Mrs. Hill got out of her chair and said she has had enough. She has put up with bad snow removal for 34 years. She is demanding that we ask Mr. Sikora (the new neighbor) to move his fence. We are not following our own ordinance. John Thompson started to say they've waited 34 years when Mrs. Hill interrupted and said Mr. Sikora is here tonight.

Cheryl said she asked the NTSWA (Northern Tier Solid Waste Authority) driver if it is a problem for them to back up. They said their garbage trucks are too big for most cul-de-sacs. Robin said trucks back the entire length of her road because there is not room to turn around. Maurice said let's get a surveyor and put this to bed. Jack said he doesn't think we can put it to bed. John said he can think of a myriad of defenses against making Mr. Sikora move the fence. Asking someone to move a fence after this amount of time makes it a problem to defend. Robin asked Mr. Sikora if he would move his fence and he said he doesn't want to, but he will if he has to. On motion of Maurice, second by Jack, it was unanimous to have Shuman Hill Road surveyed its entire length. Ron said once that is complete, we will see where we're at.

J.C. Christiansen was present concerning his property on the corner of Murray Creek and Round Top Roads. He said he has a big front yard, and it's getting smaller and smaller. He presented pictures of work that has been done along his property in the ditch area. He says this all started with a mistake made by our road crew – they undercut his bank. Jack said he takes exception to that. J.C. said Jack's taken exception to that for 5 years. If it's not a mistake, then it's vandalism. All along the road crew has taken responsibility. Now they will not. J.C. said he was told if he did anything, he would be fined. He said he was told that by Ray and another guy. The bank was undercut and is now falling away. The erosion is about to take his big blue spruce. J.C. said the road crew tried to stabilize this, but didn't. He said a guy with a clipboard who came to look at it found big cracks running across his yard. Maurice said that is all clay in there and it is moving. J.C. said that bank was stable until it was undercut by the road crew. He said Chet Harris, Jr. owned the house before he did, and there weren't any problems until our road crew came through with the backhoe and undercut the bank. J.C. said a neighbor noticed the blue spruce and asked him about it. Aaron Brotzman, Jr. said he has gone past this for years on his way to school and it really is falling away. J.C. said this is equivalent to Mr. Magoo going into a store and pulling a can out of the bottom of a pile. He then tries to fix the mess by pulling another can out of the bottom. He's tired of Mr. Magoo.

Jack Walter had asked Robin to find out if Mr. Christiansen's septic system was a legal system. Robin said she called Mary Neiley but she was unable to find anything because we did not have the names of prior owners. Jack said all he's doing is maintaining his

ditch. That clay is running right into his road. J.C. asked Ray what he does to clean it and Ray said he cleans the ditch with the backhoe. Ron asked if it would be to our benefit to fix this. Jack said they tried 2 years ago. Ron asked who "they" were, and he said Soil Conservation. Ron said we should have them come back. He then asked if we should bring in someone else. Jack said it needs to get vegetation on it. J.C. asked what vegetation grows in clay. J.C. said he's almost ready to take this personally. The township has been taking responsibility all along and now they're not. Aaron said this is coming off in about 2 ft. sheets. He has seen trees fall in. When it first started, we put in a grass mat. That worked for a while. Maurice suggested driving in 4 – 5 pylons and trying to stabilize it with those. John said the State's big thing is storm water. He thinks someone from the State needs to come in to say how to fix it. J.C. said the tree is lost. He doesn't feel like paying for our mistake. Ron said we need to get an expert to look at this and suggested Bradford County Conservation District. Robin said they are the ones who looked at it before. Ron said we need to have them come again. J.C. said he has made us aware that this is a safety hazard, and asked John Thompson if he was writing that down. J.C. said we took trees off this bank before. Jack said the trees we removed were in our right-of-way, and had to be removed because they fell over. J.C. said this is turning into a safety hazard again. We will have Ray set up a time to have Brad Cummings from Bradford County Conservation District come out and meet with the Board, Ray, and with the Christiansens. Robin will notify the Christiansens when the date and time have been set.

Aaron Brotzman said he has some Eagle Scouts that are looking for some projects. The Board referred him to Richard Bean.

Bob Smith asked if we would consider sending a letter to Tina Pickett regarding the budget and the impact fee. Robin said she has sent one already. Bob then asked if the executive session minutes were available from June 9th and Robin said they were, but they only stated who was at the meeting, that it was executive session only, and when it adjourned.

On motion of Maurice, second by Jack, it was unanimous to approve the minutes of May 25, June 2, June 9, June 16 and June 23, 2011 as written. Cheryl abstained from the June 9th minutes as she was working and unable to attend.

Clif Cheeks presented the Joan Macafee Trust 3-lot subdivision for review. Robin asked where the driveway was, and he said that is on the land development. Robin asked if we should do the land development first, and we decided to keep going. Ron asked if this was public water and public sewer and it will be private water (and public sewer). Will sewer be supplied to all three lots and Dave Young of Larson Design Group said all three will be sewerred. Robin asked if we have a letter from Athens Township Authority saying

they will service this subdivision and Dave said that is with the land development. We decided to do both the subdivision and the Fine Line Homes land development simultaneously.

Clif presented the Fine Line Homes land development on State Route 220 for review. They are proposing to make 3 lots, with the third lot being a model home that will be used as a Commercial property. This home will need to remain as a commercial use if it is built. A shared driveway is proposed for access to lots 2 and 3. Ron asked if this was requested by PENNDOT or Fine Line. It was not PENNDOT. Robin asked if the shared driveway needs to be in the deed and John said it should be in the deed. Dave Young explained the plan. Robin asked about the proposed loading dock access. It will block several parking places and may not be able to make the turn to back in at that location. Dave said they will only get a delivery once every 2 - 3 MONTHS and will only take about 10 -15 minutes to unload. Ben Craig of Fine Line Homes said they are customer-driven and will move the truck if they need to.

Planning Commission had a list of 9 deficiencies for the land development. After review of the plan, the following deficiencies were noted:

- 1) HOP drawings (pages 1-3) missing from the land development plan
- 2) HOP permit not yet approved
- 3) Need request for waiver from sidewalk requirement
- 4) Electric easement needs to be located on the plan
- 5) Gas easement needs to be located on the plan
- 6) Lighting detail is missing for the floodlights
- 7) Handicap detail needs to be changed from 8 ft. to 5 ft.
- 8) No lights are listed in the legend

The following deficiencies were noted on the Joan Macafee Trust subdivision:

- 1) Right-of-way width still needs to be shown on the plan
- 2) Rear setback still needs to be corrected to 30 ft.
- 3) E-911 address needs to be added to the plan

Robin made a motion to table both the land development and the subdivision until the deficiencies have been met. Ben Craig said they have a closing on this property tomorrow and need the subdivision to be approved for the closing. He asked us to reconsider approving that with contingencies. Robin revised her motion to grant preliminary and final plan approval to the Joan Macafee Trust subdivision contingent upon the following deficiencies being met:

- 1) Right-of-way widths be shown on the plan
- 2) Rear setback corrected to 30 feet
- 3) E-911 address on the plan
- 4) BOTH the plan AND the deed state that the shared driveway will be the access for lot 3 until the lot is sold off, at which time a dedicated access drive for lot 3 will be required.

Second to the motion was made by Jack and it passed unanimously.

Motion by Ron, second by Cheryl to table the land development until the 8 deficiencies have been resolved. We will look at it again after our hearing on July 6, 2011 if the corrections have been made. Robin asked Dave Young to please get the plans here as soon as possible so they can be reviewed – it is too hard to do a proper review when the ink is still wet at the meeting.... Dave said he will get them to us as quickly as he can.

On motion of Ron, second by Maurice, it was unanimous to grant Chesapeake a 90-day extension for the Arthur Cole Water Impoundment Facility proposed for Murphy Road. This 90-day extension will expire October 5, 2011.

Richard Bean was present for the Parks and Recreation Commission. Mike Bull's term expires in July and Richard said he is willing to serve another term. On motion of Robin, second by Cheryl, it was unanimous to reappoint Mike Bull to the Parks and Recreation Commission for a term to expire July, 2016.

Richard said the sidewalks are done around the composting toilet at the Jim King Memorial Park. The basketball and volleyball courts will probably be started around July 15th. The contractor will be taking the sod from that project and using it around the composting toilet. One of the trails is marked on Round Top, but the trails are in bad shape. Richard asked Ray and Jack if they could do something to fix them. Ray will get with Barry on this. Richard said there have been quite a few kids scheduling 5K runs in Round Top for their Senior projects (4 this year so far). We don't charge them, but are telling them they need to have the run completed by 11:30 and the pavilion available for rental. We also need to make sure the proceeds from these runs are going to the designated charitable organizations. Robin said the Parks Commission should draft a policy on that. Richard submitted these guidelines to the Board. He also remarked that Tozer's Landing is being used so much more now that the trucks are out of the park.

Robin advised the Board that Barry will be going on vacation August 1 -12th and we will need a temporary back-up person for his job. She said John Fives had done this job prior to Barry returning, and he is interested in filling in for Barry. On motion of Robin,

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second by Cheryl, it was unanimous to have John Fives be the back-up person for the times when Barry is unavailable and will be paid at his recycling rate.

Robin added that our cleaning lady will be going on vacation August 25th through September 10th and we will need a back-up for her as well. We will give this some thought and decide what to do at our meeting on July 6th.

Ray Brobst was present for the highway department. He requested speed limit signs for Westbrook Street. On motion of Robin, second by Cheryl, it was unanimous to have Ray get with Larry to proceed with this.

Ray said they have a sight distance issue at the corner of Farr Road and Mile Lane. Ron said that is a PENNDOT issue, and Ray will call PENNDOT.

Ray reported that the Asphalt Zipper demonstration was very successful on Erin Road. He thinks this would be a good investment for the township. Robin asked how much it costs and Ray said \$90,000.

Robin advised the Board that we need a new repeater, base radio (Robin's office) and radio for T-8 by January 1, 2012 to be in compliance with the narrowband regulations. She requested permission to bid this out, as the estimate is around \$17,000. It was decided that we don't use T-8 enough to warrant a mounted radio and we will continue to use portables in that truck. On motion of Jack, second by Cheryl, it was unanimous to have Robin bid out this equipment and the installation.

Robin asked the Board if they would like her to proceed with preparing testimony for the 12-Year Program for the traffic improvements on Route 220 at the intersection of 199 and the intersection of Wolcott Hollow. Rita Jo Swingle of our Zoning Hearing Board said she thinks it would be a great help to have the transcripts of the 2 hearings for the expansion of the Dandy Mini Mart at the corner of Wolcott Hollow and 220 as those hearings add a lot of pertinent safety data to this issue that is not included in the minutes or the decision. Robin would like to have Rita Jo help her with this if she is willing. On motion of Ron, second by Cheryl, it was unanimous to have Robin and Rita Jo prepare the written testimony for the hearing on September 15th, and to have the stenographer transcribe the record of the two hearings for submission as well.

Attorney John Thompson presented the Landlord/Tenant ordinance for review and adoption. Roscoe Smith, landlord of Mountain View Apartments, was present and wanted to know what the ordinance says. John went over the points of the ordinance. Roscoe said there is no need for the landlords to do this because the census people do it

and the employers do it. John said the census is only done every 10 years and there are an enormous number of changes that occur in between. Roscoe said this is not the responsibility of the private individuals. Ron asked if Roscoe keeps track of who is in his apartments. Roscoe said he has fought these ordinances and won. He asked about mobile home parks being tracked by taxes. Cheryl said the RVs are not accounted for that way. Roscoe said they were never notified that this was being put in place. No one asked for input. John said we could adopt the ordinance and then table the resolution for the form until a later date. Roscoe said John is asking us to vote on something that will be changed. John explained to him that is not true, and told him that this is the procedure set forth in the MPC for ordinance adoption, adding that if he doesn't like the way an ordinance is passed, he would need to take that up with the State as this is their regulation.

Ms. Lu Hocker of ARC said they're not allowed to give out the information we're requesting and we'll have to get a court order to take it from their files. Discussion continued. Robin said the surrounding municipalities have these ordinances in place and she will survey them to see how they do this. On motion of Ron, second by Maurice, it was unanimous to table the adoption of this ordinance until our July 27th meeting.

Robin presented the junkyard inspection reports completed by Ed Reid and Cindy Parrish. Ed recommends approval of all three. On motion of Ron, second by Cheryl, it was unanimous to approve all three junkyards for re-licensing.

Robin reported that the IRS mileage rate is increasing July 1, 2011 to 55.5 cents per mile. On motion of Ron, second by Maurice, it was unanimous to raise our mileage reimbursement rate to the IRS rate effective July 1, 2011.

Robin received the traffic study application for Chesapeake's Athens Office Complex. She would like clarification on some of the items, so we will not execute this until these issues have been addressed.

On motion of Maurice, second by Cheryl, it was unanimous to accept the monthly reports as presented.

On motion of Cheryl, second by Maurice, it was unanimous to approve the payment of the monthly bills as presented. A complete listing of revenues and expenditures is on file in the office of the Treasurer.

Correspondence/Information was as listed in the meeting agenda.

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Robin received application paperwork from Jill Koski of NTRPDC for additional funds for the Road C project. This application needs to be signed by the Township. On motion of Robin, second by Maurice, it was unanimous to have Ron sign this ARC paperwork.

Chairman Reagan took the Board into executive session at 9:12 PM for personnel and pending litigation. The regular meeting reconvened at 9:40 PM.

On motion of Robin, second by Maurice, it was unanimous to sign the Integrated Water Technologies Conditional Use Hearing decision as prepared by Attorney Thompson.

There being no further business, on motion of Robin, second by Cheryl, it was unanimous to adjourn the meeting at 9:42 PM.

Respectfully submitted,

Robin L. Smith
Secretary

ATHENS TOWNSHIP SUPERVISORS

July 6, 2011 6:30 PM

Vice Chairman Maurice Fay called the meeting to order at 6:31 PM in the absence of Chairman Ron Reagan. Supervisors also present were Robin Smith, Cheryl Wood-Walter and Jack Walter. Attorney Thompson was also present.

It was decided to wait for Chairman Reagan to arrive before starting the hearing. At this time we reviewed the Fine Line Homes Land Development on Route 220 that had been tabled until this date because of the number of deficiencies. All deficiencies have now been met, with the exception of an approved HOP permit, and a waiver for sidewalks. As there are no sidewalks in the Greens Landing area, and Route 220 is such a highly traveled road, on motion of Robin, second by Cheryl, it was unanimous to grant the waiver for the sidewalk installation. With no further discussion, on motion of Jack, second by Robin, it was unanimous to grant preliminary plan approval ONLY to the Fine Line Homes Land Development contingent upon the receipt of the approved HOP permit from PENNDOT.

Robin presented the first invoice for the backhoe. We were to pay for this in 5 annual installments, but we since had decided to pay off the backhoe with the proceeds of our \$500,000 loan. On motion of Jack, second by Cheryl, it was unanimous to pay the backhoe off in full with the funds from the loan.

Robin received another utility relocation agreement for Road C for Tri County Rural Electric. On motion of Robin, second by Jack, it was unanimous to approve, sign and execute this agreement to be included in the Road C funds in the amount of \$16,123.14.

Ron Reagan arrived at 6:37 PM. Vice Chairman Fay turned the meeting over to Chairman Reagan, who then turned the meeting over to Attorney Thompson to conduct the Todd and Gemma Campbell Water Withdrawal Facility Conditional Use hearing. John explained that they are looking to place a water withdrawal facility on the old Cohen junkyard property off Front Street and Sheshequin Road, and explained the hearing process. John introduced the Board and proceeded with the hearing. Testimony was taken by stenographer Linda Wettlaufer.

Chairman Reagan took the Board into executive session at 8:07 PM for deliberation. The hearing reconvened at 8:15 PM. On motion of Jack, second by Maurice, it was unanimous to deny this application for a Conditional Use. Attorney Thompson called for a roll call vote, which was as follows (with "yes" being deny, and "no" being approve): Mr. Walter – yes; Mr. Fay – yes; Mrs. Wood-Walter – yes; Mr. Reagan – yes; Mrs. Smith – yes. Attorney Thompson explained that there were certain criteria that needed to be met, and the evidence presented here tonight left us with far more questions that were unanswered. The hearing adjourned at 8:17 PM and the meeting reconvened.

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Robin advised the Board that a meeting has been scheduled with Bradford County Conservation District at the JC Christiansen property on Round Top Road at 2:30 PM on July 11, 2011. The Board is invited to attend. She has also contacted the Christiansens.

On motion of Ron, second by Maurice, it was unanimous to have Robin advertise for a temporary cleaning person to clean at times when our regular person is off.

Robin reported that she sent an e-mail to our neighboring municipalities concerning the landlord/tenant ordinance, requesting samples and input on their experiences with it. The only response so far has been from Athens Borough, who said they have looked at doing an ordinance, but decided it would be too much of a burden to keep track of the landlords.

Bill Cotton asked the Board if there was anything that could be done about the curve on Gateway Industrial Park Road, to help delineate the driving lanes and keep the road edges from crumbling. Jack said he would take a look at it.

Chairman Reagan took the board into executive session at 8:30 PM for pending litigation. The regular meeting reconvened at 8:37 PM.

There being no further business, on motion of Ron, second by Robin, it was unanimous to adjourn the meeting at 8:37 PM.

Respectfully submitted,

Robin L. Smith
Secretary

ATHENS TOWNSHIP SUPERVISORS
July 27, 2011 7:00 PM

Chairman Ronald Reagan called the meeting to order at 7:07 PM. Supervisors also present were Jack Walter, Cheryl Wood-Walter, Maurice Fay and Robin Smith. Attorney John Thompson was also in attendance.

Voice of the Residents:

Donald Jones of Bressler Street was present concerning the Williams Ford dealership at the end of his street. He said now that a new dealership is occupying this property, it is an opportunity to make it safer than it was previously. Right now traffic can enter anywhere along the 300' area from on Bressler Street east from Elmira Street. There are new vehicles on display that block the sight distance. He said there are curb-cuts off Elmira Street from which to enter the dealership, but the main "entrance" everyone uses is anywhere along that 300' stretch on Bressler Street from Elmira Street to the residential district. Mr. Jones has two suggestions: 1) abandon that 300' section of Bressler Street, giving that part to Williams and creating a cul-de-sac where Bressler would meet the dealership property. 2) Require Williams Ford to place curbing on the north and south sides of Bressler along their property, with specific curb cuts to designate entrance and exit points. He also stated we need some rigorous speed enforcement on Bressler Street. He would appreciate our consideration of these requests.

On motion of Cheryl, second by Maurice, it was unanimous to approve the minutes of June 28, June 29 and July 6, 2011 as written.

Robin presented the Chesapeake Athens Office Complex 4-lot subdivision by lease for review and approval. She explained this subdivision was initially approved as a 5-lot subdivision, but Chesapeake's plans have changed and they want to make this property a 4-lot subdivision instead. All deficiencies have been met. On motion of Robin, second by Jack, it was unanimous to grant preliminary and final plan approval to this 4-lot subdivision.

On motion of Jack, second by Maurice, it was unanimous to grant Walmart's request for a 90-day extension for their land development on Elmira Street. This will now expire on November 15, 2011.

On motion of Maurice, second by Cheryl, it was unanimous to grant Chesapeake's request for a 90-day extension for their Athens Office Complex Phase III land development on Mile Lane Road. This will now expire on October 29, 2011.

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Richard Bean was not present for the Parks Commission as they did not have a quorum at their meeting this month and no business was transacted.

On motion of Robin, second by Cheryl, it was unanimous to hire John Fives as the back-up groundskeeper for Barry Brosnan at John's recycling rate of pay.

On motion of Ron, second by Robin, it was unanimous to accept the resignation of Dean Morley as gatekeeper effective July 21, 2011.

On motion of Ron, second by Maurice, it was unanimous to ratify the hiring of John Fives as gatekeeper beginning July 21, 2011 at the rate of pay set by the Parks Commission.

Ray Brobst reported for the Public Works department. He said they are getting ready to chip roads. He will bring his list with cost estimates to the Board for approval.

Ron reported that he, Jack, Ray and Brad Cummings met with J. C. Christiansen at his property on Round Top Road on July 11th to discuss the clay bank problem at that location. They discussed what options were available as a fix to this. The most favorable scenario was to remove the trees from the top of the bank and seed the bank itself to try to stop the erosion. Ron said we need to get an agreement in place between the township and Mr. Christiansen before we do anything here. Robin asked how many trees we need to remove and we're not sure. It was decided to have Ray get with one of the tree removal companies to have them determine which trees should go and get a cost estimate for this work. The trees will be removed and the stumps will be left to help hold the bank. On motion of Jack, second by Ron, it was unanimous to have John Thompson draft an agreement between the township and the Christiansen's for the removal of the trees this fall and the re-seeding of the bank in the Spring.

On motion of Ron, second by Maurice, it was unanimous to send Mike Chilson and Bob Birks to the "Drainage: The Key to Roads That Last" LTAP class in Mansfield on August 9th and the "Unpaved and Gravel Roads" class in Mansfield on August 18, 2011.

Robin presented a resolution from Athens Township Authority (ATA) requesting their sewer line relocation for the Road C project be paid for from the Road C funding. We also received the agreement from Time Warner Cable for the relocation of their lines. On motion of Robin, second by Ron, it was unanimous

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to submit ATA's request, and to approve, sign and execute the agreement with Time Warner Cable.

As per Ray Brobst's recommendation, on motion of Robin, second by Cheryl, it was unanimous to participate in the 2011-2012 COSTARS salt contract (850 tons).

Next was the Landlord/Tenant ordinance. Jack Walter said he went to the last Tax Collection Committee meeting and Berkheimer is encouraging municipalities to adopt ordinances of this nature to help them in their collection of our Earned Income Tax (EIT). Ron asked who do we know that are landlords? How do we get this information? Jack said we have tax lists in the office – people who are listed for several parcels of land are probably landlords. Ron asked who we are going to get to enforce and keep track of all this? Jack said things are changing with this new collection system, and it would behoove us make it work. Ron said in the discussion last month, this was the employer's problem. How do we keep track of the people who are not permanent residents? They come and go so quickly. Cheryl said one problem is 'the border'. She works in NY, and her employer doesn't take the local tax out. She, as a resident, is responsible to see that she pays it herself. She has to pay it in good faith. Not everyone does that. Some people don't even know where the municipal lines are. Jack said we've got to do something to help the EIT move forward. He thinks we should try it, and as we see problems or errors, fix them. Ron asked who will enforce this? John said that will be the hardest part.

Phyllis Finch commented that the form looks like it's for an employer and she is not an employer. She asked if this will be just for moving forward, not for existing tenants and it will be for all tenants.

Roscoe Smith said the 911 readdressing is still a mess after all this time, and he feels this will be the same. Are single family homeowners going to be required to sign up their kids when they're 18? What is the purpose of this – it's just for the gas people. Jack said that's not true – it's universal across the board. Roscoe said in Binghamton, he has to do reports. We should be moving toward less government and we're just doing more. Cheryl said the problem is not just in PA. We're right on the border. A number of people work in NY and don't pay PA. Ron said we have more homework to do and will do it before the next meeting.

Gary Gregory complained that we only advertise one day in the Towanda paper and post it on the window. That needs to change. Cheryl directed him to contact his legislators who have made that the law.

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On motion of Ron, second by Maurice, it was unanimous to adopt RESOLUTION 2011-06 appointing Robin as the Designated Agent for the FEMA-4003-DR-PA disaster project.

On motion of Maurice, second by Ron, it was unanimous to ratify the burning ban for the township effective July 21, 2011 and continuing until further notice.

On motion of Ron, second by Maurice, it was unanimous to purchase two American flags and one State flag for the 199 bridge. The flags will be installed by the Athens Township Volunteer Fire Company.

On motion of Robin, second by Maurice, it was unanimous to apply for the Lighting Retrofit Mini-Grant Opportunity through Northern Tier Regional Planning and Development Commission in the amount of \$2000 (maximum) at a 50/50 match.

On motion of Ron, second by Cheryl, it was unanimous to release the funding for the Spalding Memorial Library. The financial statement has been received. Maurice voted yes, but "with reservation".

On motion of Cheryl, second by Maurice, it was unanimous to appoint Ruth Casterline as the primary authorized representative for matters with Berkheimer Tax Administrator, Inc., Robin as the alternate authorized representative for the same, Ron Reagan as the Political Subdivision authorized signatory for the same; and to approve, sign and execute the paperwork designating Berkheimer as the Earned Income Tax Collector for Athens Township, including RESOLUTIONS 2011-07 and 2011-08.

On motion of Maurice, second by Cheryl, it was unanimous to hire Pauline "Penny" Estabrook as the back-up for the cleaning position at the rate of \$10 per hour. Penny will work when our permanent cleaning person is not available.

Discussion was held about having a picnic for the volunteers on our township boards up at Round Top Park. The date of September 14, 2011 at 6 PM was set for this picnic. The township will provide meat, beverages and table service and will ask everyone to bring a dish to pass.

On motion of Maurice, second by Cheryl, it was unanimous to accept the monthly reports as presented.

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On motion of Jack, second by Maurice, it was unanimous to approve the payment of the monthly bills as presented. A complete listing of revenues and expenditures is on file in the office of the Treasurer.

Correspondence/Information was as listed in the meeting agenda.

The Board discussed the fact that we have not received the agreement from Tennessee Gas Pipeline that we were supposed to have regarding their location in the business park, nor do we have the required paperwork from NOMAC that we were supposed to have by December 31, 2010. On motion of Ron, second by Robin, it was unanimous to direct Attorney Thompson to send a letter to both companies requiring their compliance in these matters.

Attorney Thompson requested an executive session for pending litigation. Chairman Reagan took the Board into executive session at 8:17 PM. The regular meeting reconvened at 9:06 PM.

Ron advised the Board that PENNDOT had rejected the construction inspection engineer (CECO Associates) that was chosen by the Consultant Selection Committee for the Thomas Avenue Bridge project. The Committee was required to meet again to choose another engineering firm. They chose the third-ranked firm, which was Dawood Engineering of Sayre. On motion of Ron, second by Robin, it was unanimous to approve Dawood as the firm to be considered by PENNDOT for the construction inspection engineer on this project.

There being no further business, on motion of Cheryl, second by Robin, it was unanimous to adjourn the meeting at 9:10 PM.

Respectfully submitted,

Robin L. Smith
Secretary

ATHENS TOWNSHIP SUPERVISORS
August 31, 2011 6:30 PM

Chairman Reagan called the meeting to order at 6:32 PM and took the Board into executive session for personnel. The regular meeting reconvened at 7:05 PM.

Chairman Reagan called for the opening of the bids for crushing, which were as follows:

A. J. Trunzo, Inc.	\$4.88/yard
Villager Construction, Inc.	\$3.95/yard

On motion of Jack, second by Maurice, it was unanimous to award the bid to Villager Construction, Inc. The bid includes loader(s) and operator(s) as well.

Voice of the Residents:

Donald Jones of Bressler Street was here to follow-up on the issues with Bressler and Elmira Streets that he brought to the Board last month. Ron said we haven't discussed it. Don asked if we will discuss it. Maurice said we should take a serious look at it. He's not sure what we can do with Randy – let's approach him. Ron asked if he meant with a cul-de-sac proposal and Maurice said no, with the curbing suggestion. Ron asked if we're prepared to make residents install sidewalks (Bressler, Herrick, Pennsylvania Avenue...). Don said there were other options given – not sidewalks. He asks us to do more research on this.

Brian Miller of Bressler Street said he is full support of Mr. Jones' idea. There are almost 30 kids on that street now. There should be an increase of police presence.

Cheryl said people use Pennsylvania Avenue to circumvent Elmira Street. When the kids have open campus, they use Bressler Street to drive or walk. It's a busier street now because of Elmira Street.

Dan Stark of Clinton Street said they want a cul-de-sac on Clinton as well. They see people go 50-60 mph down the street and they don't even stop at the stop sign at the corner. It's the Walmart superhighway.

Gary Gregory of McDuffee Street said they want a cul-de-sac, too. He said everyone uses McDuffee, Clinton and Herrick to get to Elmira Street from Pennsylvania Avenue. It's not just Bressler – they all have the same problem. They should get curbing, too, and a more frequent police presence for enforcement. Don Jones said Bressler Street is the only street that goes through the middle of a business.

Gary Gregory said they had another ambulance call where the ambulance could not find the house. Two of the houses on his street still show the RD #2 numbers from

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the 1970's. He wants to go back to the old numbers if we're not going to enforce this. PLEASE get someone to finish this soon!!

On motion of Cheryl, second by Maurice, it was unanimous to approve the minutes of July 27, 2011 as written.

Clif Cheeks of Planning Commission presented the Arthur/Nancy Wolf subdivision on Sunnyfield Drive for review and approval. There were 6 deficiencies, but all have been met. Planning Commission recommends preliminary and final plan approval. On motion of Ron, second by Robin, it was unanimous to grant preliminary and final plan approval to this subdivision, and to execute the sewage module.

Robin advised the Board that Keystone Consultants has requested a waiver of the sidewalk requirement for the proposed Microtel to be located on the Hurley property on Elmira Street. Discussion was held. They stated that the adjacent properties do not have sidewalks. Robin presented an email she had received from Ed Reid concerning this. He said the property to the north of this proposed development is owned by Walmart. Walmart intends to install a sidewalk around the road frontage of their property, including Winslow Street. C & N Bank already has a sidewalk. Maurice asked if Wendy's had a sidewalk and Ron said no – it was paved to the road, but they were also there before zoning. He added that Simmons Rockwell has delineated an area of their paved lot as a 'sidewalk'. On motion of Robin, second by Cheryl, it was unanimous to deny the request for the sidewalk waiver.

Robin said she received two applications today for Conditional Uses. The first was from Aqua PA to put a water withdrawal facility on the Skerpon property located on Riverside Drive. The second was from Glenn O. Hawbaker to put a water withdrawal facility for their own use from the Susquehanna River to their Route 220 asphalt plant. She suggested we could possibly do both on the same night. We need to pick a date between October 17th and October 28th. On motion of Ron, second by Cheryl, it was unanimous to do both hearings on October 20th at 6:30 PM. John Thompson will contact Linda Wettlaufer and Robin will do the legal notice. John Wilkinson said he was surprised there was enough room for Aqua to do a facility there, because he thinks there's only about ¼ acre there. Jack said he talked with Andy Silvanic of Aqua PA and Andy said he has about 8 acres secured.

Richard Bean reported for the Park Commission. He said the basketball and volleyball courts are complete in the Jim King Memorial Park. Jack and Robin both said they have received a lot of good comments about this. Richard said they have applied for a Greenway grant of \$500 for landscaping at that park. He will ask the neighbors to supply the labor. He will be meeting with them tomorrow. Maurice has been hired as the new

gatekeeper. Richard said the storm knocked over a big tree that just clipped Pavilion #5. Barry is taking care of that. He also said the volleyball net has come up missing and we need to get another one back up. The Greenway has identified the trees on one trail in the park, and will do another one. They will put brochures here at our building and in the restaurants that will coincide with the identified trees. The park commission will be actively looking for grant funds for the pond project. Richard said no one has camped at Tozer's Landing for two years, and only one group camped in 2008. They will be doing away with the camping at that site and will be cancelling the insurance for camping. We need to take it off the sign as well. Pathways for Play has partnered with Promoting Healthier Communities for the engineering study for a trail at Tozer's Landing. They will pay half the cost and our Park Commission will pay the other half. The cost will be \$5,440 total. We received a \$76,000 grant for a composting toilet to replace the pit toilets at the flying field in Round Top. We will probably do this next summer. Ron asked about the Pathways for Play trail that would be done at Tozer's Landing Boat Launch. Richard said they will create a trail with exercise equipment on it for kids to use as they hike. He added they want to keep a trail down to the other end of Tozer's for another boat launch. On motion of Ron, second by Robin, it was unanimous to have the park commission pay half the cost of the trail engineering. On motion of Robin, second by Ron, it was unanimous to hire Maurice Fay as the gatekeeper at the salary set by the auditors for this position. Maurice abstained as this directly affects him.

Ray Brobst said he and Jack Walter met with JC Christiansen and Mattison's to get an estimate for the removal of the 5 trees that need to be removed from JC's bank to hopefully stop the bank from sliding into our ditch and road. Mr. Christiansen had been to see Robin after that meeting and she gave him a copy of the Right To Enter agreement that Attorney Thompson had drafted in order for us to be able to remove the trees. Mr. Mattison had given an estimate of \$450 for one tree only. JC has the written estimate. Robin said he was supposed to be here tonight and he was going to bring the estimate with him. JC doesn't want any trees taken off the top of the bank, just the one tree on the side. Robin said it was her understanding that in order to correct the problem, 5 trees needed to be removed. Ron said that's what was stated at the first meeting with Bradford County Conservation District. Discussion was held. On motion of Ron, second by Jack, it was unanimous to have Attorney Thompson send a letter to Mr. Christiansen advising him that we wish to remove the 5 trees originally identified for removal; that we can't force him to let us do it, but that he will be liable if anything happens.

Ray had secured three quotes for asphalt. Eastern Industries was slightly less than Dalrymple, but any savings would have easily been eaten up by having to travel to Eastern's Towanda location. On motion of Cheryl, second by Jack, it was unanimous to award the quote to Dalrymple.

Ron said Chesapeake has damage to repair on Sunnyfield Drive and Reagan Road. Robin will make Eddie aware. Attorney Thompson said EOG Resources is looking to execute a RUMA with the township for about ½ mile of Bluebird Road and nine-tenths of Ballentine Road. Ron told Ray not to touch these roads as the gas companies will take care of the repairs through the RUMA. Ray asked if they would be doing Farr Road because there are potholes in that, too.

Ray said the chipping is done, but they have a lot of work to do before winter and not enough time. They are working on McKinney Hill Road replacing crosspipes. His goal is to get the pipe in on Jacklin Road and finish Westbrook Street.

Ron brought out pictures of Beaver Pond Road that he drove last night after 5 PM. He asked Ray why the guys left all the piles of dirt in the road. Ray said it was probably all mud. Ron said we can't be doing that because it could cause an accident. Ray said "It's just a memory now". Ron said gave the pictures to Ray to show the guys, and told him they can't leave the roads like that. Ray will talk to them.

Maurice had requested that we look into an engine brake ordinance again. Robin read the information she had collected on this issue. It is basically a safety issue, and we'd be taking this feature away. What would our liability be? As with most everything else, it's one or two 'bad apples' that give them all a bad name. We would not be able to put this in without PENNDOT's permission. District 2 does not allow these ordinances, but we are in District 3. Ron asked how would we enforce something like this? By the time it was reported, the truck would be long gone. Cheryl asked how we can enforce this when we can't even enforce the speed on Bressler Street. On motion of Maurice, second by Jack, it passed to send a letter to PENNDOT requesting the procedure to ban engine brakes on all our roads. Robin and Cheryl voted no.

On motion of Robin, second by Ron, it was unanimous to reappoint John Baird to the Zoning Hearing Board for a term to expire September 9, 2014.

On motion of Ron, second by Cheryl, it was unanimous to adopt RESOLUTION 2011-09 authorizing Robin to give testimony on September 15, 2011 in Stroudsburg to try and get the 220 Corridor in Greens Landing on the TIP 12-year program, and to allow her to get a hotel room if necessary and pay her salary for the time she would have worked.

On motion of Robin, second by Ron, it was unanimous to have Ruth open a "Bridge" bank account for the Thomas Avenue Bridge Replacement, with Ruth, Robin and Ron as the signatories.

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On motion of Robin, second by Cheryl, it was unanimous to adopt RESOLUTION 2011-10 designating the Chairman as the signatory for the Thomas Avenue Bridge Replacement Agreement, to execute said agreement as well as the Electronic Access agreement.

Ron would like to have us do road inspection before budget. We set September 24, 2011 as the date and will meet at the township building at 9 AM. Robin will ask Ed to see about getting us a van for this and will make sure Ray knows.

Robin received a request from the water company to put a hydrant in the area of Joy Street and Sandra Avenue. Aqua will need a letter from us requesting this, if we approve. On motion of Maurice, second by Robin, it was unanimous to have Robin send a letter to Aqua requesting this additional hydrant.

Ron skipped to the Northern Tier Regional Planning and Development Commission (NTRPDC) lighting upgrade and retrofit grant. Robin attended the mandatory workshop for this grant, which will be a 50/50 grant. Commonwealth Energy Group, LLC did an inventory of our lights at this workshop and will send a proposal for the upgrade and retrofit. We can receive up to \$2000 from NTRPDC towards \$4000 of equipment (no labor), and will also be eligible for energy rebates from Penelec. On motion of Maurice, second by Cheryl, it was unanimous to participate in this grant program.

Next was the Landlord/Tenant ordinance. John Thompson said he looked at it again and said he agrees that it will help Berkheimer with the collection of Earned Income Tax. He feels it's a necessary step to help the taxpayers of the township. Ron asked how we catch the people who work in NY but live here? Robin suggested Berkheimer invite the NY employers to the meeting they're scheduling with the PA employers. Rita Jo Swingle said she thinks they're catching a lot more of those people with the Earned Income Tax than with the Occupation tax. Ron asked how we would enforce this. Cheryl thinks we should wait and see how it works out with Berkheimer. Ron asked how we know who the landlords are. Discussion was held. Jack made a motion to adopt the ordinance. Rosco Smith said that's selective enforcement and it's illegal. John Thompson told him that is not true. Cheryl said we need to work out the details first. Jack said all laws are like that. Robin said we don't have ANY details worked out. Ron said we don't know if it's just the renters – what about the people who work in NY? How are we going to enforce that. Roscoe said we should wait until Berkheimer meets with the employers. Roscoe added that it's just a simple add-on for the software he uses. Ron said we have a motion on the floor, is there a second. Motion fails for lack of a second.

On motion of Maurice, second by Cheryl it was unanimous to accept the monthly reports as presented. There was no fire chief's report.

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On motion of Cheryl, second by Maurice, it was unanimous to approve the monthly bills as presented. A complete listing of revenues and expenditures is on file in the office of the Treasurer.

Ron read the seven Act 14 notifications from the agenda. He added that the Subdivision and Land Development Ordinance revision is complete and on file for review. Public hearing and adoption has been advertised for September 28, 2011 at 6:30 PM.

The volunteer appreciation picnic date has been changed from September 14th to September 22nd because of scheduling conflicts. We will also be inviting the members of the Athens Township Volunteer Fire Company to this picnic.

Chairman Reagan took the Board into executive session at 8:40 PM for personnel and pending litigation. The regular meeting reconvened at 9:12 PM.

On motion of Ron, second by Robin, it was unanimous to sign the letter for Ruth stating the extension of the existing 2010 Police Contract.

On motion of Ron, second by Cheryl, it was unanimous to approve the Act 70 additional payment of \$4000.00 to John and Ruth Baggerly for right-of-way expenses for Road C. This payment is to be from the Road C funds.

On motion of Cheryl, second by Robin, it was unanimous to deny Mary Simiele's request for payment of overnight shipping charges for the Williams transcripts.

On motion of Jack, second by Ron, it was unanimous to have John Thompson send a letter to Mr. Ballentine to remove his new fence from our right-of-way.

There being no further business, on motion of Robin, second by Ron, it was unanimous to adjourn the meeting at 9:17 PM.

Respectfully submitted,

Robin L. Smith
Secretary

ATHENS TOWNSHIP SUPERVISORS

September 12, 2011 6:00 PM

This meeting was originally scheduled for executive session for personnel, but all parties were not available so the executive session has been postponed.

Chairman Reagan called the meeting to order at 6:05 PM. Supervisors also present were Cheryl Wood-Walter, Maurice Fay and Robin Smith. Jack Walter was out of town.

Ray Brobst was present to report on the flood situation. He said Macafee Creek needs cleaning. He will contact Brad Cummings for an emergency permit.

Jack Walter had told Ray to leave Meadowlark alone at this point and concentrate on the bigger issues we have at hand. Ray said they should finish Jacklin Road tomorrow and then will head to Moore Road bridge. We closed this bridge to traffic this morning because of its condition.

On motion of Ron, second by Robin, it was unanimous to allow Ray to rent equipment (with an operator if needed) to get the work done – and even if he needs to split his crew to make things passable.

Ray said Campbell Road needs blocks. He said Saturday they were able to get Murray Creek Road back to two lanes.

Discussion was held as to large pipes vs. box culverts. Maurice said the bottom half of the pipes are fine, but the upper half restricts the water. The Board and Ray feel box culverts are what we need to use from now on.

Brian Haight of PENNDOT Municipal Services will be coming up tomorrow to do damage assessment on our worst roads and bridges. Robin received notification that Larson will do bridge inspections if we're under contract through the County, which we are. There will be a fee for this. It was decided to have bridges on Miller Road, Moore Road, Highland Drive, Round Top Road and Chamberlain Road inspected.

Robin read a message from Dr. Musto stating they will not have the information in time for our scheduled joint meeting of ATA on the 19th, so the meeting has been postponed.

Robin received an ordinance requirement from our pension providers that we need to adopt at our next meeting. This is for "HEART" (Heroes Earnings Assistance and Relief Tax Act of 2008), which will be the inclusion of IRS language necessary to keep the plans compliant. It will not change anything with the plans themselves. Robin will advertise for our September meeting.

There being no further business, on motion of Robin, second by Ron, it was unanimous to adjourn the meeting at 6:38 PM.

Respectfully submitted,

Robin L. Smith, Secretary

ATHENS TOWNSHIP SUPERVISORS
September 28, 2011 6:30 PM

**Public Hearing for the revisions to the Athens Township Subdivision and Land
Development Ordinance**

Chairman Ronald Reagan called the meeting to order at 6:30 PM. Supervisors also present were Robin Smith, Maurice Fay, Jack Walter and Cheryl Wood-Walter. Attorney John Thompson was also in attendance.

Ron advised those in attendance that the Board had met on September 19, 2011 at 6:30 PM for an executive session for personnel.

Chairman Reagan recessed the meeting at 6:34 PM to conduct the public hearing for the ordinance revisions. He explained that he, Ed Reid, Clif Cheeks and our consultant, Kathie Hunter, had met over the last several months to draft revisions to the Subdivision and Land Development Ordinance to bring it up-to-date with current regulations and issues. He then went down through each "Article" and explained the changes that were made. He also read the new fee schedule.

The last time this ordinance was revised was September of 2000. He stated that the committee will be taking another look at our zoning ordinance to update that as well. Rita Swingle asked that Zoning Hearing Board be included in these discussions. Robin will advertise these as workshops.

Ron called for any public comment. There were no comments. On motion of Ron, second by Robin, it was unanimous to adopt ORDINANCE 2011-06: Athens Township Subdivision and Land Development Ordinance.

On motion of Ron, second by Robin, it was unanimous to adopt RESOLUTION 2011-12 setting the fee schedule for this new ordinance. The hearing adjourned at 6:45 PM.

Chairman Reagan reconvened the regular meeting at 7:02 PM, and announced again that an executive session for personnel had been held on September 19, 2011 at 6:30 PM.

Voice of the Residents:

Bill Cotton of 784 South Main Street, Athens, PA, introduced himself as the President of the Athens Borough Council. He said he was here at one of our July meetings to question how fill can be placed on the old Cohen property (now owned by Todd Campbell). He said we have just had a horrific rain event and Athens Borough was devastated. He asked if Zoning Hearing Board or Planning Commission had looked at this fill process over there. Robin said it doesn't have anything to do with them. Ed Reid added that they are not required to go to Planning until they do a land development.

Bill stated this fill created a coffer dam and caused the water to be raised higher than it would have normally. He had copies of several creek permits and said the material had to be taken out of the floodplain. Ron asked him what floodplain he was referring to, since the gravel had been removed from Satterlee Creek, not the Susquehanna. Bill said he would “give him that one”. Bill said the township is responsible for having a surveyor periodically check the height of the fill at this site. He said he’s “not pointing fingers” and Robin said yes, he was. This requirement was set by DEP – “the department” – and it is their responsibility to oversee this. Bill said it’s his understanding that the township needs to look after this. He added there was no silt fencing to protect the river and he said it’s the township’s responsibility to enforce that as well. These requirements are listed in the DEP remediation plan for that site, and the township feels these issues are between Mr. Campbell and DEP.

Bill Cotton then stated that he believes Todd’s fill caused part of the problem with the flooding of Athens Borough because it created a coffer dam. He also believes the material from Satterlee Creek should not be put at the Cohen site. He also stated that PENNDOT’s bridge (across the Susquehanna) caused a problem, too, with the flooding of Athens Borough.

Ron Reagan asked him if he would be going the entire length of the Susquehanna River Basin like he is doing with us here tonight, to anyone who has done any work along the river.

Bill Cotton said he wants to know if anyone is checking the elevations of this fill at the Cohen site. He added that DEP says it’s the township’s responsibility to watch this. John Thompson said it was DEP that entered into this remediation agreement with Mr. Campbell – he doesn’t believe DEP would be able to place these responsibilities on the township.

Bill then asked if anyone at our table had anything to say. He said he’s not coming after the township, but added that when he was here at the July meeting, he told us if we got a horrific event, this would affect the Borough.

Ed Campbell of Wildwood Road said the Wildwood area was heavily flooded, and he thanked the supervisors for picking up the flood debris. He asked about spraying for mosquitoes and Robin said she received a notification that they would be spraying in Bradford County tomorrow.

Martin Hill said the survey of Shuman Hill Road was complete and he wanted to know the status. John Thompson said he had talked to the surveyor who thought John

should look at the site. John said since the Hills had retained counsel, he would formulate his response to their attorney.

Andy Watkins of Riverside Drive said the township has jurisdiction over DEP. He found that in the code. He referred to the Cohen property and asked if anyone had thought about the triaxles that go through there and then drag all these contaminants all over on their tires. He said Mr. Wilkinson should get a medal for removing all that gravel from Satterlee Creek – but Andy said it should be taken back up to the top of the mountain, not to the Cohen site. He said 2 years ago Cheryl made an analogy that the rising creek is like a fire. The creek got close to his house and she was right. Andy said East Athens makes up ¼ of Athens Township. He had to evacuate his house at 2:30 AM and had no place to go. There was no shelter in East Athens. The fire hall was locked. There was no fire protection. There were no police. Jack Walter said we had 4 police officers with a car stationed over there and Andy said he didn't see one until Saturday. Robin said Litchfield was available for fire protection. Mike Patton said Litchfield was not contacted. There was no truck at the East Athens fire station. Ron said we will have to find out what happened to the fire truck. Andy said this is our call and he can prove it to us 10-times over. He is only pointing fingers at Cohen's.

Gary Wilkinson said he has been here 30 years, and said for 27 of those years he's lived next to the creek. He was lucky enough not to sustain damages like others did in this last event. He said they have had DEP, Army Corp. of Engineers and the township over by their house. They all say it's bad, but the average person can't afford to clean the creeks. There are 5 groups that have some jurisdiction, but all they do is argue and point fingers. DEP is making inspections and measuring. The last time the creek was touched was 1986. Back in 2006, the creek jumped 150 feet toward Joe King. DEP says the "window of opportunity" is gone now – it's on your property and it's your problem. Before this event, Satterlee Creek was just a small channel. John Wilkinson had given up on it because all the 5 groups do is fight about it. As far as the bridge on Riverside Drive, the DEP guy told them to call PENNDOT and get them to clean out under the bridge, but they were told to mind their own business. It's lucky that people like his dad have equipment to clean this creek. Now he's getting hassled. They're working with DEP, as is Mr. Campbell – you'd think they'd tell you not to fill at Cohen's if you're not supposed to. Someone else made a comment that problems were caused because the creek was cleaned. Athens Borough and people are bitching about them doing what they're doing. The Fish Commission won't let you do things because they're only concerned about fish. The problem is that we can't get the creeks cleaned. Next time the bridge and houses will be gone.

Andy Watkins said (to the Board) you guys should care – it's part of your community.

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Letters of thanks were signed to B & W Video Recording Service for preparing the video submitted as testimony at the State Transportation Hearings for the Greens Landing traffic project, and to Chesapeake Energy Corporation for their help with the clean-up from the flood. Ron also thanked the Athens Township Fire Company for all they did and are still doing for the Valley residents. He thanked Keith and Robin for their emergency management duties, thanked Ed Reid for all his help with the cleanup, and said our road crew did a good job throughout the flood.

On motion of Maurice, second by Jack, it was unanimous to approve the minutes of August 31 and September 12, 2011 as written.

Scot Saggiomo presented the Chesapeake Appalachia, LLC Barrett Water Withdrawal land development for the addition of a hydrant for the purchase of water from Aqua Pennsylvania. This will get the trucks out of our Tozer's Landing Park so that residents can use it again. There were two issues still outstanding – the plans refer to a page E2, but there is no page E2 (per Chesapeake); and the 'no right hand turn for water trucks' sign is not on the plans. The sign is an existing sign that is there as a result of a previous decision of the Board. On motion of Jack, second by Robin, it was unanimous to grant preliminary and final plan approval to this land development.

Josh Brown of Chesapeake Energy said a requirement for a 10 ft. tall fence was set at their Conditional Use hearing for this site. He stated the fence won't do anything more as far as shielding from the light than what they already have in place. He requests that we drop the fence requirement. John Thompson said we would need to have another Conditional Use hearing in order to make any changes.

Next was the Five Star Equipment, Inc. land development at 711 SR 199. All the deficiencies have been met except for the highway occupancy permit (HOP), which was in the works. This store will be their 9th store. They will need to do some flood-proofing. They will also need to place 6 drywells on the property for better drainage. On motion of Jack, second by Robin, it was unanimous to grant preliminary approval ONLY, contingent upon receipt of the HOP.

Scot presented the Eastern PA Supply Co. (EPSCO) land development at 243 W. Pine Street for review and approval. All deficiencies have been met. This is for their expansion. On motion of Ron, second by Jack, it was unanimous to grant preliminary and final plan approval to this project.

Next was final plan approval for the Dandy Mini Mart parking lot expansion land development on White Wagon Road. They received preliminary plan approval in 2009

and are here for final approval. As-built drawings have been provided. On motion of Ron, second by Maurice, it was unanimous to grant final plan approval to this plan.

Scot presented the Dandy Mini Mart land development on White Wagon Road for review. This will be for preliminary plan approval only. They are looking to expand the building to create a store like the one in North Towanda. The plan was discussed. A 24 ft. drive lane needed to be shown behind the store. Additional green space was created to offset the wider lane. There are 4 deficiencies remaining:

- 1) Right-of-way (R/W) and pavement widths need to be labeled on the plan, and the R/W needs to be checked.
- 2) Utilities need to be located on the plans
- 3) Erosion and Sedimentation plan must be submitted and approved
- 4) Plan for the delineation of the parking lot from the road, and the traffic flow markings needs to be submitted

On motion of Jack, second by Maurice, it was unanimous to grant preliminary plan approval to this land development, upon resolution of the four above-listed deficiencies. Planning Commission listed two comments for the record:

- 1) They would like to see a fence around the pond on the north side of the property.
- 2) They would like to see traffic flow arrows to avoid confusion. Dave Young will put a plan together for this, and the delineation of the parking lot and roadway.

Scott asked if the supervisors got the Conditional Use review letters from Planning Commission and Robin said they did.

The Pennsylvania Association of Floodplain Managers' Conference is October 18th and 19th in Johnstown, PA. Robin would like to see Eddie go, and anyone else that may be interested. On motion of Ron, second by Cheryl, it was unanimous to send Ed Reid and anyone else interested to this conference, to secure accommodations for 2 nights, and pay him for the time he would have worked.

Richard Bean reported for the Parks and Recreation Commission. He has a new Eagle Scout project of a park bench and two trees being planted in memory of long-time Scoutmaster, David Mitchell. The basketball court is all done. Residents in that area will do the landscaping. A complaint had been received about the speeding on Glen Valley Road. Maurice will get with the police about that. The Tozer's Park engineering study will be approved tomorrow night at a special meeting. John Thompson is OK with it.

The composting toilet grant has been denied, because the new regime says the project does not meet the criteria. They now say we need to upgrade the outhouses to be handicapped accessible, we can't replace them. Mike Bull will call Tina Pickett about this. The \$500 landscaping grant was also denied. The Park Commission has voted to raise some of the pavilion rental rates, which are now as follows:

Pavilion #1: \$30	Pavilion #2: \$25	Pavilion #5: \$30
Pavilion #7: \$18	Pavilion #8: \$27	Pavilions #7 and #8 together: \$40
Pavilion #9: \$25	Pavilion #10: \$25	Pavilion #11: \$30
The entire lower level:		\$125
The entire upper level:		\$250

Ray Brobst was not present for Public Works.

Ed Reid presented a Road Use Maintenance Agreement (RUMA) from EOG for Ballentine and Bluebird Roads. The Board would like to include the intersections in the agreement as well. On motion of Ron, second by Jack, it was unanimous to approve, sign and execute this agreement.

On motion of Robin, second by Maurice, it was unanimous to ratify the submission of the pre-application for buyouts from the 9-7-11 flooding to PEMA, with Ron as the signatory and Robin as the contact person.

On motion of Robin, second by Cheryl, it was unanimous to ratify the waiver of township building permit fees for flood damaged structures. Code Inspections, Inc., has also cut their fees by 50%. People who are relocating to the township will receive a 1-year temporary permit for a residence or business.

Ron would like to see us create a rental registration form for new residents and the RVs - to be included with the permit they receive when they locate here. John will revise the form for our next meeting. Dan Stark questioned how we catch these RVs from the gas company. Eddie said he issues a 6-month temporary permit, and they can get an extension if they need it. He said the mobile home parks are working with us on this. Cheryl left at this time.

Robin said we need to be compliant with the radio narrowband requirements by January 1, 2012. On motion of Robin, second by Jack, it was unanimous to purchase the necessary equipment from Keystone Communications through PA State Contract 5820-02 in the amount of \$16,060.55 as per their quotes dated August 12, 2011.

Robin received an email from PSATS about crews of non-violent inmates being made available from the Department of Agriculture and the Department of Corrections as help to clean flood debris from the creeks. Robin responded that we would be interested. On motion of Robin, second by Jack, it was unanimous to accept these crews if they become available to us.

Robin was directed to advertise the budget workshop for October 22, 2011 at 9 AM.

On motion of Ron, second by Jack, it was unanimous to approve Robin to host and speak at NYPENN Leadership class here on October 5th from 7 – 10 AM, to provide refreshments, and to pay her for the time she would have worked.

Robin presented the Minimum Municipal Obligation for the Police Pension Plan for 2012 in the amount of \$126,503 and for the Non-Uniformed Pension Plan for 2012 in the amount of \$84,772. On motion of Jack, second by Maurice, it was unanimous to approve the MMO as presented.

On motion of Jack, second by Maurice, it was unanimous to adopt RESOLUTION 2011-11, that there be no employee contributions to the current pension plans for 2012.

Ron read the monthly reports. There was no fire report for the second month in a row. On motion of Jack, second by Maurice, it was unanimous to accept the monthly reports as presented.

On motion of Maurice, second by Jack, it was unanimous to approve the payment of the monthly bills as presented. A complete listing of revenues and expenditures is on file in the office of the Treasurer.

Ron read the four Act 14 notifications and 6 real estate assessment appeals as listed in the meeting agenda.

John Wilkinson stated that he was very satisfied with the police protection in East Athens during the flood event. He commented on the permits for cleaning out the creeks. He said they put 200 permits out to bid and had only 12 takers. He also stated that he volunteered to clean out under the Riverside Drive bridge over Satterlee Creek and PENNDOT would not approve that. They said it had to be done by the state workers.

Cheryl returned to the meeting. Chairman Reagan took the Board into executive session at 8:40 PM for personnel and pending litigation. The regular meeting reconvened at 10:15 PM.

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On motion of Ron, second by Robin, it was unanimous to have John Thompson order the transcript from the September 27th Zoning Hearing Board hearing for Williams Ford. John will contact Myra for that.

It was decided to advertise the Chesapeake Energy, LLC amendment to the Conditional Use for the Barrett Water Withdrawal site (removal of the fencing requirement) for October 20th at 6 PM, if the paperwork was received no later than September 30, 2011.

There being no further business, on motion of Robin, second by Maurice, it was unanimous to adjourn the meeting at 10:18 PM.

Respectfully submitted,

Robin L. Smith
Secretary

ATHENS TOWNSHIP SUPERVISORS
Conditional Use Hearing
October 17, 2011 6:30 PM

Chairman Reagan called the meeting to order at 6:39 PM. Supervisors also present were Jack Walter, Maurice Fay, Cheryl Wood-Walter and Robin Smith. Attorney John Thompson was also in attendance.

Chairman Reagan introduced the Board as well as Attorney Thompson and Cindy Parrish, Athens Township Assistant Zoning Officer. He then turned the hearing over to Attorney Thompson at 6:40 PM. John explained that the hearing was for a FEMA temporary disaster manufactured housing community site to be located on the Austin parcel in Athens Township off Wilawana Road. There are currently about 85 families that are still displaced from the flooding of September 7, 2011, who have no place to go. FEMA stated that a caseworker is assigned to each household and meets with them every 30 – 60 days to inspect the unit and to assist the household with progress toward the permanent housing plan. By statute, the disaster housing program is authorized for 18 months from the date of the declaration (September 3, 2011), with the capability to be extended if necessary. Testimony was taken by Stenographer Myra Ludden. Jack Shuback made the presentation for FEMA. All residents in attendance that wished to were also allowed to speak.

Chairman Reagan took the Board into executive session for deliberation at 8:02 PM. The hearing reconvened at 8:25 PM. Attorney Thompson stated the Board will grant the Conditional Use with the following conditions:

- 1) Any lighting, including street lights, must be contained on the property.
- 2) The park will have a 24-month maximum limit. If additional time is needed, another Conditional Use hearing will be required.
- 3) Adequate stormwater facilities must be approved, constructed and maintained.
- 4) The access road must be paved to the first intersection. “Tar and chip” will be acceptable. The township will NOT maintain these roads.
- 5) The dust must be controlled within the park at all times.
- 6) The township will require contact information to be filed with the Township Secretary for the park manager, road maintenance person(s), a point of contact for each agency involved in the project, and any other contacts deemed necessary.
- 7) A final as-built plan must be submitted showing locations of utilities, hydrants, etc. upon completion.

On motion of Ron, second by Cheryl, it was unanimous to grant the Conditional Use with the above listed conditions. A roll call vote was taken: Mrs. Smith – yes; Mr. Reagan – yes; Mrs. Wood-Walter – yes; Mr. Fay – yes; Mr. Walter – yes.

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Ron stated that we have forgone a lot of the requirements because of the emergency situation presented here. People have been displaced and need a place to live. We are trying to accommodate that, because it is in the best interest of our community.

Bill Cotton of South Main Street, Athens addressed the Board by saying thank you on behalf of the people affected in Athens Borough.

Harry Forbes of the Governor's Office also thanked the Board on behalf of the Governor. The hearing concluded at 8:31 PM.

Ron continued the meeting by saying he had spoken with Marion Carling and she is willing to be reappointed to Planning Commission for another term. On motion of Ron, second by Cheryl, it was unanimous to reappoint Marion Carling to the Planning Commission for a term to expire October 30, 2015.

Robin presented an Act 14 notification for Niagara Gas and Oil Service for a SRBC permit to place a water withdrawal operation on the old Cohen site. The parties are aware that they do not have township approval at this time.

On motion of Ron, second by Jack, it was unanimous to adopt RESOLUTION 2011-13, designating Robin Smith as the Applicant's Agent for all aspects of FEMA-4030-DR-PA, including Public Assistance and Hazard Mitigation.

There being no further business, on motion of Robin, second by Maurice, it was unanimous to adjourn the meeting at 8:43 PM.

Respectfully submitted,

Robin L. Smith, Secretary

ATHENS TOWNSHIP SUPERVISORS

October 20, 2011 6:00 PM

Chairman Ronald Reagan called the meeting to order at 6:04 PM. Supervisors Maurice Fay, Cheryl Wood-Walter and Robin Smith were also present. Jack Walter was absent. Attorney John Thompson was also in attendance.

Chairman Reagan turned the meeting over to Attorney Thompson at 6:05 PM to conduct the **Chesapeake Appalachia LLC Barrett Water Withdrawal Conditional Use Amendment Hearing**. John explained that the purpose of the hearing was to act on their request to eliminate the fencing requirement along Route 199 at this site. They state that the fence would not meet the intent of the Supervisors. Dan Lopata, Josh Brown and Brian Davis were present for Chesapeake. Testimony was taken by Stenographer Linda Wettlaufer. Chairman Reagan took the Board into executive session at 6:30 PM for deliberation. The hearing reconvened at 6:35 PM. Attorney Thompson announced that the Supervisors will grant the request. Motion by Ron, second by Maurice to eliminate the fencing requirement along Route 199, with the roll call vote as follows: Mrs. Smith – yes; Mr. Reagan – yes; Mrs. Wood-Walter – yes; Mr. Fay – yes. The hearing adjourned at 6:36 PM.

Chairman Reagan turned the meeting over to Attorney Thompson at 6:38 PM to conduct the **Glenn O. Hawbaker Water Withdrawal Facility Conditional Use Hearing**. They are requesting a water withdrawal facility for use by their business only. They have applied to SRBC for a 249,000 gallons-per-day. Attorney Matthew Brann and Carl Bankert were present for Hawbaker. Testimony was taken by Stenographer Linda Wettlaufer. Chairman Reagan took the Board into executive session at 6:53 PM for deliberation. The hearing reconvened at 6:58 PM. Attorney Thompson announced the Supervisors will grant the request with the condition that they secure all necessary Federal, State and local permits. Motion by Maurice, second by Robin to approve the Conditional Use with the stated condition, with the roll call vote as follows: Mrs. Smith – yes; Mr. Reagan – yes; Mrs. Wood-Walter – yes; Mr. Fay – yes. The hearing adjourned at 6:59 PM.

Chairman Reagan turned the meeting over to Attorney Thompson at 7:07 PM to conduct the **Aqua Resources, Inc. Water Withdrawal Conditional Use Hearing**. This is proposed for the Skerpon property located on Riverside Drive. They have applied to the SRBC for a 999,999 gallons-per-day permit. They are requesting to use the facility 24 hours per day, 7 days per week. Attorney Joseph Landy and Andrew Silvanic were present for Aqua Resources, Inc. Testimony was taken by Stenographer Linda Wettlaufer. Chairman Reagan took the Board into executive session at 8:35 PM for deliberation. The hearing reconvened at 8:48 PM. Attorney Thompson announced the Supervisors will deny the Conditional Use request because 1) the use is not compatible with the residential nature of the neighborhood; 2) there would be an adverse affect on the neighborhood; 3) the use would create undue nuisance or serious hazard to vehicles or pedestrians; and 4) did not show that satisfactory provision and arrangement had been

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made for ingress and egress to the property. Motion by Maurice, second by Cheryl to deny the Conditional Use request, with the roll call vote as follows: (yes to deny; no to approve) Mrs. Smith – yes; Mr. Reagan – yes; Mrs. Wood-Walter – yes; Mr. Fay – yes. The applicant agreed to receive the written decision within 30 days. The hearing adjourned at 8:50 PM.

On motion of Maurice, second by Ron, it was unanimous to offer the “Planning to Manage Secondary Impacts of Natural Gas Development: Practical Steps Local Governments Can Take” class to anyone who is interested in going.

Robin presented a letter from PENNDOT in response to the Board’s request for engine brake retarder prohibition on SR 1056 from the Athens Borough line to the Litchfield Township line. PENNDOT will do a study. PENNDOT will also do an in-depth review of a portion of Wilawana Road in response to a letter from Mr. Lewis Corl.

Chairman Reagan took the Board into executive session at 9:10 PM for pending litigation. The regular meeting reconvened at 9:33 PM.

There being no further business, on motion of Robin, second by Cheryl, it was unanimous to adjourn the meeting at 9:34 PM.

Respectfully submitted,

Robin L. Smith
Secretary

ATHENS TOWNSHIP SUPERVISORS
Budget Workshop 9 AM October 22, 2011

Chairman Reagan called the meeting to order at 9:05 AM. Supervisors also present were Jack Walter, Maurice Fay and Robin Smith.

Mike Rosh, Bob Birks and Deb Northrup were present for the Athens Township Volunteer Fire Company to present their proposed budget for 2012. Deb went through the budget for the Board. She also discussed the impromptu shelter that was set up at the fire company during the recent flood. They had about 150 clients to start, and took care of about 50 people for a month. She said they have about \$30,000 in expenses from that – they're hoping their insurance and FEMA will help with that – but even if they don't, they'd do it again for the people. Cheryl arrived at 9:13 AM. Jack thanked the fire company for stepping up. The company is looking for the same amount of funding as last year. On motion of Robin, second by Jack, it was unanimous to set the contribution to the fire company at \$93,100 for 2012.

Ray Brobst was present with his 2012 budget. He said we need to think about replacing the grader and the two smaller dump trucks. He would also like to get an aluminized box culvert to replace the Tom Taylor bridge on Murray Creek Road.

Larry Hurley presented his 2012 budget. He is due to replace a 2-wheel drive car this year. Discussion was held as to a raise for Larry. On motion of Ron, second by Maurice, it was unanimous to give Larry a \$5,000 raise for 2012.

Discussion was held as to amounts of raises for employees this year. No decisions were made at this time.

On motion of Cheryl, second by Robin, it was unanimous to adjourn the meeting at 12:17 PM.

Respectfully submitted,

Robin L. Smith
Secretary

ATHENS TOWNSHIP SUPERVISORS

October 26, 2011 6:00 PM

The Board held an executive session at 6 PM for personnel. No action was taken.

ATHENS TOWNSHIP SUPERVISORS

October 26, 2011 7:00 PM

Chairman Ronald Reagan called the meeting to order at 7:09 PM. Supervisors also present were Robin Smith, Maurice Fay, Cheryl Wood-Walter and Jack Walter. Attorney John Thompson was also in attendance.

Voice of the Residents:

Shellie Northrup of Sayre was present concerning Senator Scarnatti's Senate Bill 1100 which proposes a model zoning ordinance to regulate oil and gas that could be adopted by the State and take away local control. She submitted amendments of this Bill to the Board for information.

Janet Hoagland of Macafee Road presented pictures of the creek to the Board. She said the road is really bad now – what happens to it when the snow comes? Jack Walter said we have permits for that creek and are looking to get contractors to remove the gravel bars in exchange for the material. Ray said we have 10 permits in all for creeks in the township. Janet asked about tree removal. Robin had received information where the Department of Agriculture and the Department of Corrections were offering crews for stream cleanup. We had applied but haven't heard back yet. Robin will check on that. Jack said we've got most of our flood work done so we can move on to other things. Janet asked about their road repair again. Jack said he has miles of ditches to fix, but we will get there eventually.

Don Johnson of Macafee Road said there is a hole by the stop sign about 4 feet long and 4 feet deep. Ray said there is a drainage problem there that needs to be fixed. Don said DEP told him no one from the township has a permit for the creek. Jack Walter got up from the table to get our permit and handed it to Mr. Johnson. Ron said so many agencies are involved in the permit process, you don't know who you're dealing with. He said he read the Fish and Boat Commission want fees from the gravel.

Dr. Patrick Musto of Orcutt Creek Road said our road crew is almost overwhelmed with these roads. They fix them and they just deteriorate. We should contract it out.

Danny Stark of Clinton Street asked if we'll be getting any convicts. Robin said we have applied but haven't heard yet.

Andy Watkins of Riverside Drive asked what we found out about the lack of fire protection on the east side of the township during the flooding. Maurice said he was told Litchfield was called and would cover that. He added that we used to have 3 – 4 drivers over there and there are none now. That's why the truck is at the Herrick Avenue station. Andy said there was no emergency shelter over there – we should have had the fire station open for them. Cheryl said she didn't understand why the Red Cross didn't open a shelter at the Litchfield School. Maurice said we could have opened the fire hall. Andy said there's a church there, too. Maurice will check with the fire company about opening the fire hall. Andy then asked why are they still hauling to Cohen's. Robin said DEP's remediation plan is being finished up and then it will be done. Andy asked what we're doing about Satterlee Creek. Robin said John Wilkinson has the permit for the creek and is cleaning it. Andy said this is his concern. He asked if the township could get a permit for that. Robin said again that Mr. Wilkinson has a permit for that. Andy asked if Chesapeake would be interested in cleaning the creeks on our permits and Robin said they would have the same option as any other contractor that was interested.

Tim Robinson asked if we can burn flood debris. Robin said it depends on what it is – but you can't burn construction materials. Tim asked if we would get him a dumpster to take care of all the trash on his property next to Cohen's and Robin said the dumpsters are gone now. Tim said it wasn't his trash. He then asked if he piled it up at the stop sign would someone pick it up. Maurice said no, and he better be careful about that.

On motion of Maurice, second by Jack, it was unanimous to approve the minutes of September 28th, October 17th and October 20, 2011 as written.

Clif Cheeks presented two subdivisions for Chesapeake. The first one was the combining of the Chesapeake Athens Office Complex parcel with the Raven Holding Company parcel directly north of it to make it part and parcel. There was one deficiency – lack of owner's signature. Ron asked Dan Sparks of Chesapeake if they had closed on the property yet and Dan said the closing is this Friday. Dan will sign the maps and date them with Friday's date. Robin will not finalize the map until proof of purchase is received. On motion of Jack, second by Maurice, it was unanimous to grant preliminary and final plan approval to this part and parcel contingent upon proof of ownership.

Next was the 5-lot subdivision by lease of the above Chesapeake property. The subdivision maps are attached to the part and parcel maps (as one unit). John Thompson said that would be OK for recording. On motion of Ron, second by Cheryl, it was unanimous to grant preliminary and final plan approval to this subdivision.

Clif then presented the Chesapeake Athens Office Complex Land Development, Phases 1 – 5. Phase 1 will be Nomac and will include the construction of Road B from Wilawana Road to Lamoka Road. This road will require construction inspection and an Improvements Agreement before the township will consider taking it over. All deficiencies have been met. On motion of Robin, second by Jack, it was unanimous to grant preliminary approval ONLY to Phase 1.

Next was Phase 5, which will be Great Plains. The will serve letters have been received, with the exception of the water. Aqua PA is waiting for the developer's agreement for the water line extension. The following deficiencies were still outstanding:

- 1) No developer's agreement for the water
- 2) No HOP (traffic study still in progress)
- 3) DEP Component 3 sewage module needs to be approved

John Baggerly asked when they estimate the completion of Phase 1, and Dan Sparks thought it would be March of 2012. John Baggerly asked if the additional traffic has been considered and Dan said there is a traffic study being completed. On motion of Jack, second by Maurice, it was unanimous to grant preliminary approval ONLY to Phase 5 upon resolution of all deficiencies.

Clif presented Phase 2 which will be Hawg Hauling and Hodges. There will be truck parking in the gravel yard. They also have asphalt parking places with heat plugs. The following deficiencies were noted:

- 1) No HOP (traffic study still in progress)
- 2) DEP NPDES permit still needs major modifications

On motion of Jack, second by Ron, it was unanimous to grant preliminary approval ONLY to Phase 2 upon resolution of all deficiencies.

Next was Phase 3 which will be Midstream. There will be a maintenance shop behind the main 3-story building. This is the smallest site with only 10 acres. All 'back' accesses off Road B will be automatic gates that are motion and card activated. The following deficiencies were noted:

- 1) No HOP (traffic study still in progress)
- 2) No NPDES permit
- 3) No Erosion & Sedimentation Plan approved by Bradford Co. Conservation District

On motion of Ron, second by Jack, it was unanimous to grant preliminary approval ONLY to Phase 3 upon resolution of all deficiencies.

Clif then presented Phase 4 which will be Chesapeake COI (Chesapeake Operating, Inc.). This will be a 4-story office building. They will also be putting in a swale that will go to a large field of infiltrators sized to take the 100-year storm. They feel this will help to alleviate the flooding by the homes along Wilawana Road in that area. The following deficiencies were noted:

- 1) No HOP (traffic study is in progress)
- 2) No DEP permits including the NPDES permit
- 3) No E & S plan approved by Bradford County Conservation District
- 4) Planning Commission requested a dust control plan, which will be provided as per the applicant's engineer.

On motion of Cheryl, second by Robin, it was unanimous to grant preliminary approval ONLY to Phase 4 upon resolution of the deficiencies.

Ron said Road B needs to be put in to our standards. We will need to have a construction inspection engineer for this project. Dan Sparks will get with us before they start Road B. We will also need to execute a developer's improvements agreement before the township will agree to take the road.

The Glenn O. Hawbaker subdivision/part and parcel was postponed until our meeting of November 7, 2011 at noon.

Robin said the Authority has approved the sewage mailer to be signed by the Supervisors for the Walmart Supercenter. On motion of Ron, second by Cheryl, it was unanimous to sign the sewage mailer.

On motion of Ron, second by Cheryl, it was unanimous to grant Walmart a 90-day extension which will expire on February 13, 2012.

Richard Bean reported for the Parks and Recreation Commission. He said Barry's last day will be November 11th. The park will close on November 19, 2011. The park will be open for cross country skiing and hiking after hunting season, when there is snow on the ground.

Ray Brobst had left the meeting. Robin advised the Board that the Ballantines intended to move their fence after receiving the letter from John Thompson, but request an extension because the contractors are tied up with all the flood repairs and the ground will be frozen soon. On motion of Ron, second by Cheryl, it was unanimous to grant an extension until April 1, 2012.

On motion of Cheryl, second by Jack, it was unanimous to have Robin send the press release for contractors to remove gravel from the creeks we have permits for. The notice was approved by John Thompson.

Because Dr. Musto had been waiting, we skipped to the ordinance to guarantee ATA's portion of the Valley Joint Sewer Authority funds for the upgrade. This will have no affect on our borrowing base. John had reviewed the ordinance and it is fine. On motion of Robin, second by Cheryl, it was unanimous to adopt ORDINANCE 2011-09 guaranteeing the ATA portion of the VJSA plant upgrade, with no affect on our borrowing capacity.

John Thompson opened discussion on the rental registration form through our zoning office. He said we could use the form previously submitted if we remove the request for the social security number. Ron explained the form. Roscoe Smith was present and said he thought we had decided not to make the landlords do this. Why are we discussing this again? Robin said it has nothing to do with the landlords – this is something we will be doing in-house with our zoning permits. Robin presented a form she received from South Franklin Township that we could also use. John will draft a form for us to use with our zoning permits. On motion of Robin, second by Jack, it was unanimous to have the final form attached to the zoning permits.

On motion of Robin, second by Ron, it was unanimous to ratify the engineering contract with Dawood Engineering for the Meadowlark Drive bridge.

On motion of Cheryl, second by Robin, it was unanimous to ratify the commitment letter for 20% of the signalization only of the Greens Landing turning lane/traffic signal project. This will hopefully be included in the 2012 TIP program.

On motion of Robin, second by Jack, it was unanimous to adopt both ORDINANCE 2011-07 to bring our Police Pension Plan into compliance with the HEART legislation, and ORDINANCE 2011-08 to bring our Non-Uniform Pension Plan into compliance with the same.

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On motion of Cheryl, second by Jack, it was unanimous to allow Robin to go to her PSATS standing committee meeting in Harrisburg on November 14/15, 2011 and to pay her salary for the time she would have worked.

On motion of Jack, second by Cheryl, it was unanimous to accept the monthly Road and Police reports as presented. There was no building permit report, and this was the third month without a fire report. Discussion was held on the fire report situation, but no action was taken at this time.

On motion of Ron, second by Maurice, it was unanimous to pay the monthly bills as presented. A complete listing of revenues and expenditures is on file in the office of the Treasurer.

Correspondence/Information was as listed in the meeting agenda.

Ron asked Robin to send Chesapeake a thank you for taking us on a rig tour. Ruth Baggerly said they should put a big thank you in the newspaper for all that Chesapeake did during the flood.

Chairman Reagan took the Board into executive session at 8:32 PM for pending litigation. The regular meeting reconvened at 8:58 PM.

The Board continued to work on the 2012 budget. A proposed budget was agreed upon and will be presented at our November meeting. It will then be advertised for adoption at our meeting in December. On motion of Ron, second by Maurice, it was unanimous that, if any funding is received from FEMA for our flood work, it will be used to first repay the line items and account funds that were drawn upon to balance the budget, with any remaining funds to be placed in the highway materials budget. If not all the monies are received, the line items and account funds will be repaid on an equal percentage basis.

On motion of Jack, second by Robin, it was unanimous to sign the proclamation declaring October 28, 2011 as Marilyn Bok Day in Athens Township.

There being no further business, on motion of Robin, second by Maurice, it was unanimous to adjourn the meeting at 9:48 PM.

Respectfully submitted,

Robin L. Smith, Secretary

ATHENS TOWNSHIP SUPERVISORS

November 7, 2011 12:00 noon

Chairman Ronald Reagan called the meeting to order at 12:04 PM. Supervisors also present were Robin Smith, Jack Walter and Maurice Fay. Cheryl Wood-Walter was working.

Chairman Reagan called for the opening of the bids for R4, R6 and R8 material. We received no bids. On motion of Ron, second by Jack, it was unanimous to have Robin rebid this material.

Karl Bankert was present for Glenn O. Hawbaker subdivision/part-and-parcel for their property along Route 220 in Greens Landing. They will be adding the two parcels together and eventually moving the operation further south on the land. Karl said they know they will have to come back for a land development before they proceed with the expansion. On motion of Ron, second by Jack, it was unanimous to grant preliminary and final plan approval to this subdivision.

Chairman Reagan took the Board into executive session with Attorney Jim Carroll for personnel at 12:10 PM. The regular meeting reconvened at 1:07 PM.

On motion of Maurice, second by Ron, it was unanimous to raise the deductible on the Blue Cross/Blue Shield EPO (First Priority Health) to \$1000, and to reimburse the employees for the amount of the deductible as used.

There being no further business, on motion of Ron, second by Maurice, it was unanimous to adjourn the meeting at 1:08 PM.

Respectfully submitted,

Robin L. Smith
Secretary

ATHENS TOWNSHIP SUPERVISORS

November 30, 2011 7:00 PM

Chairman Ronald Reagan called the meeting to order at 7:03 PM. Supervisors also present were Jack Walter, Maurice Fay, Cheryl Wood-Walter and Robin Smith. Attorney John Thompson was also in attendance.

Chairman Reagan called for the opening of the rock bids. No bids were received. This is the second time we bid these items. On motion of Jack, second by Maurice, it was unanimous to acquire the rock at the best price wherever we can find it.

Voice of the Residents:

Betty Jo Morris of 3395 Wilawana Road presented pictures of the “gully” next to her home that continues to flood. She said she has 4 sump pumps running constantly. She stated that the township built this “gully” in 1986, and presented the deed for the gully. Robin asked where the water is coming from – ground water, or from a rain event, or from the road.... Betty said it comes from across the road. The township installed a pipe across the road and it drains into this gully. The gully contains 2 drywells that were installed by the township. Maurice said this could possibly be an easy fix if we take the tops off the drywells and clean them out. Ray will look at this.

Danny Stark of Clinton Street asked if we will protest the rate increase request of Aqua Pennsylvania. On motion of Maurice, second by Cheryl, it was unanimous to send a letter. Danny asked if we will be getting prisoners to clean the debris out of the creeks and Robin said we would not. She was notified there was not enough interest for this program for them to move forward.

Kylie Mullen of 3850 Wilawana Road asked for a status report on the FEMA trailer park behind her home. Pam Willis of FEMA was present and said the number of families that will be placed there is between 26 and 30. She also stated that number changes daily. Ron Reagan stated that our assistant zoning officer, Cindy Parrish, has issued 58 permits for this park. Pam said they will only put in as many as are needed. She added that with the weather – especially the rain – their schedule has been pushed back. Kylie asked if they have a projected date when they’ll finish, and Pam said they’re hoping to finish by the end of the week.

Kylie asked when the road would be paved. They stated there will also be a second entrance west of the planned entrance, but no one gave a date of expected paving. Kylie asked if the job trailers will be gone when the regular trailers are all installed. They will be. Pam said they will install more regular trailers if there is a need, but they will not require the return of the construction trailers. That contractor is called a “haul-and-install” contractor and consists of a crew that comes and just hooks everything up. Kylie asked if the fence will stay when the construction is done and Pam said it will.

Jack Walter said he thinks one of the conditions we set was that they had to be out in 24 months. That is correct. Pam stated these will only be Bradford County residents – our friends and neighbors who will now have a place to call “home”. She said when one person moves out, a deactivation work order is issued if there is no longer a need for that unit. FEMA pays for all utilities.

Diane Blasi of 3880 Wilawana Road asked if the contractors were given hours of operation that they were to abide by. They were told they could work from 7 AM to 10 PM. Diane said they worked past that time when they first started. They were running a roller on the driveway to 11 PM. They should have been able to do that during the day. She also stated the fence has not been extended to the end of her property line. Jim Slaughter, the construction manager, said they were instructed to extend the fence 50 feet – not to the end of the property line. Diane said she was told it would be taken to the end of her property line. Pam asked Diane to show her where the property line is so they can look at the situation. She added that they are trying to do everything they can to accommodate the residents. Diane said she has been emailing back and forth with Robin concerning her issues. She said the other night there was a truck with its headlights shining right into her family room for ½ hour – if the fence had been extended that would not have been an issue.

Diane also said there are a lot of safety concerns. They have no flaggers out there. The other night they did have a flagger and she was working in the dark with only a vest on and no lights. She was almost hit. They were installing a water line at 10 PM another night. Worker started with a vest, then a hardhat with a light, then finally had to park a truck there. Safety!! A FEMA trailer was stranded on November 17th – didn't know where to go - was backing up on Wilawana Road. No one directing traffic. Diane said she walks this road every day – it's an accident waiting to happen.

Mike Bull of 284 Oak Hill Drive said they have 25 construction workers living on the site. He asked what the sewer arrangements were. FEMA said originally they had a holding tank but then were given permission to connect to the manhole. Mike asked who is in charge of that and Ron advised him the Athens Township Authority (ATA) was in charge of sewer for the township. He gave Mike their contact information and meeting date. Mike said he almost got run over in his car by a Simonds truck. The truck had pulled into Sycamore Drive and then started backing up. Mike had to back out onto Wilawana Road. The truck driver honked three times and then ‘flipped him off’. They had no flaggers working. Maurice said we were told they'd have certified flaggers working.

Mike then said FEMA is parking trailers on the Valley Youth Soccer Association property and they weren't supposed to do that. Robin said Harry Hadlock (of VYSA)

gave written permission for that. Mike said that was for “a few” and there are 12 trailers there. Mike asked what the total cost of the project will be and Pam said she didn’t have that information with her. Mike gave a “Watch Children” sign to the Board that had come down in his neighborhood. Maurice said he will take care of that.

Gary Rosh of Wilawana Road asked where the second entrance would be for the park. It will be to the west of the main entrance.

Shelly Northrup of Sayre urged the Board to contact our legislators concerning Bills 1950 and 1100. She is concerned about the potential for local control to be taken away on zoning issues and other local regulations where the gas industry is involved.

Kylie Mullen asked if the detention pond will be fenced. Pam said it will be and the fence will remain after they are gone. Ron said we were told that the site would be reclaimed when they leave and Pam said they will not be doing that. Robin and Ron both said that was not what we were told. Ron asked who is supposed to maintain the detention pond left behind and Pam said that would be the responsibility of the landowner. Ron asked if the landowner knows that and Pam said it’s in their contract. Ron advised them that we will refer to the transcript of the approval hearing on these issues.

Tony Gillott of Wilawana Road said this property is now considered ‘developed’. He would rather see homes there than industry. Ron said Mary Sullivan had submitted plans for a housing development on that land before she passed away. Austin now has the infrastructure in place. Tony was concerned that the wetlands would be disturbed and asked if that was State or Federal jurisdiction. Ron said you just don’t touch them. Tony is concerned and said he doesn’t want a trailer park there. Robin said trailer parks are not allowed in the Residential Suburban district. Mike Bull asked how many homes would be allowed on an acre in that district and Ron said maybe 3, with sewer and water.

On motion of Maurice, second by Jack, it was unanimous to approve the minutes of October 26th and November 7, 2011 as written.

Scot Saggiomo presented the Jeffrey/Jean Barber 2-lot subdivision on Reagan Road for review. The existing home will become one lot (1.99 acres) and the parent tract will remain. The existing well will not be on the house property but will be shared between the two lots. Planning Commission had concerns about the easement for the well since it was just a narrative and was not signed by anyone. John Thompson said that will need to be notarized and recorded with the plan. On motion of Ron, second by Jack, it was unanimous to grant preliminary and final plan approval to this subdivision, contingent upon receipt of the notarized easement to be recorded with the plan.

On motion of Robin, second by Maurice, it was unanimous to set the date for the Walmart Conditional Use Hearing as January 3, 2012 at 7 PM.

Richard Bean was present for the Parks Commission. He has signed off on one Eagle Scout project (Brennan). The trail at Tozer's Landing is moving forward. Round Top Park is now closed. It will reopen after big game season has ended – only when there is snow on the ground for cross-country skiing and sledding.

Ray Brobst reported for public works. He asked if it would be OK to rent a couple trucks to get the large rock because it will do damage to our truck boxes. Robin asked him why he just didn't get it delivered and he said he didn't think of that. Ray said he has been looking for trucks on the internet to replace the 2000 Volvo. He said he went to Albany to drive a 1993 Mack 10-wheeler and it's in good shape. They're asking \$16,000 for it. Ron said the insurance company totaled our truck and will give us \$32,500 for it. Ron asked how much a new truck would cost. Ray said Bradco had a single axle for \$102,000. It'd probably be \$120,000 for a new 10-wheeler. Ron asked who had this truck in Albany and Ray said a dealer has it. Robin said we will have to bid this out. Jack said it was a town truck so we could put it right to work. Christine Vough asked if we are still paying for the truck that was wrecked, and Robin said no. She had heard it was a new truck and Robin said it was a 2000 Volvo. Ray will write a spec for Robin to use to bid. Ray said it would be a good truck. Ron asked who had it before and Ray said he thought it was the Town of Oswego. Robin said it's certainly seen snow, then. Ray said it doesn't have a plow, but we have one that fits it. It has a spreader box like the Volvo as well. On motion of Jack, second by Maurice, it was unanimous to bid for a used truck.

Robin said she had been contacted by Eric Benjamin from the fire company to see if the company could hold a Heavy Truck Rescue Drill with the Volvo. Discussion was held as to whether or not we would be keeping the truck for salvage, and we will not. Robin will call the insurance company to see if they can hold-off picking up the truck so the company can do their drill – and also to see if it would be permissible to do the drill.

We received an estimate for the actual "pieces" of the aluminum box culvert that we are proposing to install at the Meadowlark location. The cost will be around \$38,000 just for the pieces. Jack said the Town of Barton uses these bridges and they work well. We need to start getting things that meet the State requirements. We'd need to get a concrete contractor to put the footers in and set the bolts. They need to be accurate. We could build it on-site. We could try to assemble it on the footer or we would have to get a crane to set it. We won't get to this until the Spring. Discussion was held. FEMA may not cover the cost of a new bridge. The last paperwork we submitted was cut to \$2600 from our \$6500 request. Acquisition projects are all that will be considered in Round 1 of the

HMGP program. Round 2 will consist of non-substantially damaged homes and all other eligible projects, which would be this type of project. On motion of Jack, second by Maurice, it was unanimous to bid the aluminum box culvert for Meadowlark Drive.

The proposed 2012 budget was presented with no tax increase. On motion of Ron, second by Robin, it was unanimous to advertise this budget for approval at our December meeting.

On motion of Cheryl, second by Jack, it was unanimous to approve the Bradford County Humane Society contract for 2012 in the amount of \$1312.

On motion of Robin, second by Maurice, it was unanimous to pay our renewal dues with Manufacturer & Business for 2012 in the amount of \$270.

Our meeting dates will remain the last Wednesday of every month for 2012.

On motion of Maurice, second by Jack, it was unanimous to accept the monthly reports as presented. There was no fire report again this month.

On motion of Jack, second by Robin, it was unanimous to approve Michelle Plouse as a member of the Athens Township Volunteer Fire Company Fire Police.

Robin received yet another complaint about the flags being in such disrepair on the bridge over the Chemung River on Route 199. Robin recommends we remove these flags permanently, because they are never replaced in a timely manner and it is disrespectful to have these "ratty" flags displayed. Discussion was held. On motion of Maurice, second by Cheryl, it was unanimous to remove these flags permanently from the bridge.

On motion of Cheryl, second by Maurice, it was unanimous to approve the monthly bills as presented. A complete listing of revenues and expenditures is on file in the office of the Treasurer.

Correspondence/Information was as presented in the meeting agenda.

Chairman Reagan took the Board into executive session at 8:35 PM for personnel and pending litigation. The regular meeting reconvened at 9:26 PM.

Robin had spoken with our new Supervisor, Christine Vough, tonight and she advised Robin that she had signed up for the newly-elected supervisor course to be held at

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PSATS in Enola. She had paid for this herself. On motion of Ron, second by Jack, it was unanimous to reimburse Christine for the course and her hotel room for this course.

There being no further business, on motion of Robin, second by Cheryl, it was unanimous to adjourn the meeting at 9:29 PM.

Respectfully submitted,

Robin L. Smith
Secretary

ATHENS TOWNSHIP SUPERVISORS
December 23, 2011 11:30 AM

Chairman Ronald Reagan called the meeting to order at 11:44 AM. Supervisors also present were Jack Walter, Maurice Fay and Robin Smith. Cheryl Wood-Walter was absent. Attorney John Thompson was also present.

Chairman Reagan called for the opening of the bids for the used tandem axle dump truck. We received one bid – from Arthur Trovei & Sons, Inc. for a 1999 Mack RA688S dump truck in the amount of \$23,825.00. Discussion was held. The truck has 260,000 miles on it, but Jack says it has a lot of life left. There is no rust. It was previously owned by PENNDOT, so Maurice was comfortable with the maintenance aspect of it. On motion of Jack, second by Maurice, it was unanimous to accept the bid. Ray will make arrangements to get the truck. We may need a cashier's check for this.

On motion of Ron, second by Robin, it was unanimous to purchase a new camera for the highway department as the old one no longer works.

On motion of Robin, second by Maurice, it was unanimous to approve, sign and execute the Road Use Maintenance Agreements with Chief Oil and Gas LLC and Talisman Energy USA, Inc.

On motion of Robin, second by Ron, it was unanimous to ratify the Christmas luncheon being held December 23, 2011 at noon and being catered by Callear's.

On motion of Ron, second by Maurice, it passed to have the raises for 2012 begin with the first pay period of 2012, which begins on December 29, 2011. Robin abstained from the vote as she is an employee.

There being no further business, on motion of Robin, second by Ron, it was unanimous to adjourn the meeting at 11:50 AM.

Respectfully submitted,

Robin L. Smith
Secretary

ATHENS TOWNSHIP SUPERVISORS
December 28, 2011 7:00 PM

Chairman Reagan called the meeting to order at 7:05 PM. Supervisors also present were Jack Walter, Maurice Fay, Cheryl Wood-Walter and Robin Smith. Attorney John Thompson was also in attendance.

Voice of the Residents:

Jeri Mullen was here on behalf of her daughter, Kylie, who lives on Wilawana Road adjacent to the driveway of the FEMA trailer park. She said they have some concerns they would like to have addressed. The workers will be gone soon, and the road was promised to be paved. All they did was tar and chip and it's all breaking up and going into Kylie's driveway. What happened to the requirement of 200 ft. of paving from Wilawana Road? Ron said the reality is that it is just too late in the year for any paving to be done. She said they are concerned that they will have water problems as well. She asked what will happen to the road when the township plows? Robin said we will not be plowing, as we can't go on private property. That is up to FEMA to contract. Jeri wanted to know who will maintain the fence – mowing around it and such. Cheryl said FEMA will take care of it. Jeri asked if we know who to contact once the workers are gone. Cheryl said to contact your legislators. Robin said to contact her if anyone has issues and she will make the necessary contacts.

Diane Blasi of Wilawana Road said the construction vehicles have left ruts in the lawns at the corner. The soccer drive is a mess. Maurice said he has put all these concerns on a list and given it to Eddie. He will take care of it. Diane said the water is causing a problem. Maurice said he will look into it on Monday when he comes back from Virginia. She added there was no fence around the detention pond. Ron asked Diane if they extended the privacy fence for her and she said they did.

Susan Loomis of Winslow Street is upset about the Walmart expansion and the Callear's expansion. She asked if Callear's will be building a road behind her house to make it a circle. Robin said we don't know at this point – plans had been submitted but they were rejected by Ed and have not been resubmitted to date.

Jim Andrews of Wilawana Road presented a picture of his back yard to the Board and asked if we could tell him what was wrong in it. He said the FEMA contractors line up all their construction equipment and shine their headlights at their houses at 10 – 11 PM at night. He said we're not building the space shuttle here – this is not rocket science. Don't point your lights at the houses. He said they are driving through the soccer field road to the "shantytown". That is not a road. We need to stop people from using the road. "We're not building the space shuttle here – it's easy, people". Ron advised him to talk to the soccer people and ask them to stop them from having access.

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Diane Blasi said they have been very disrespectful to the residents and the community. These are our local contractors. Someone should go back to Mike Austin and have him shut it off. They're not supposed to be using that.

Jim Andrews asked if anyone on the Board has a "shantytown" in their back yard. He said, "I do!"

Diane said they have two roads into the park now – there is no need for them to be using the soccer road. Robin said she will call Mike Austin and Jack Shuback in the morning and ask them to take care of this.

On motion of Maurice, second by Jack, it was unanimous to approve the minutes of November 30, 2011 as written.

Clif Cheeks presented the Microtel Inn & Suites land development on Elmira Street for review. Gary Burcher of Keystone Consulting and Associates was present to explain the project. Clif Cheeks said there had been 13 deficiencies, and all have been met. Gary said Microtel worked with the fire chief and code inspectors through the development of the project. They will have an on-site fire hydrant. There will be a new driveway. Storm water will be contained through infiltration under the parking lot. This will be a non-extended-stay hotel. Ron asked what that is. They said people generally don't stay more than one or two nights. The rooms will have microwaves and refrigerators, but will not be set up for a long stay. There will be 77 rooms. Ron asked if they have submitted their plans to Code Inspections, Inc. and they have. Jack Walter asked if the Planning Commission is satisfied and Clif said yes.

Susan Loomis of Winslow Street said the Board has "sold us out". Four hotels??!! Jack said we have not 'sold her out' – these are people who have the right to do things with their property. Susan said we just change our zoning book to let these things happen. She has been told there is nothing she can do about it. She said she is hiring an attorney.

Chairman Reagan recessed the regular meeting at 7:40 PM to hold a public hearing on this issue. There being no further comment, the regular meeting reconvened at 7:41 PM. On motion of Maurice, second by Cheryl, it was unanimous to grant preliminary approval to the Microtel Inn & Suites land development.

Clif then presented the Walmart subdivision for review, parcel 1 to become part and parcel with the current Walmart parcel. Parcel 2 will not be purchased. Chairman Reagan recessed the regular meeting at 7:46 PM to hold a public hearing on this issue. There being no adverse comment, the regular meeting reconvened at 7:47 PM. On

motion of Robin, second by Jack, it was unanimous to grant preliminary and final plan approval to this subdivision, contingent upon receipt of the owner's signature on the plans.

Next was the Walmart Supercenter land development. Skip Schneider of CEI Engineering explained the plan to the Board. The phasing of the old store to the new store has been incorporated. Parking will be in the same place. The NPDES permit has been issued. PENNDOT has reviewed the plan. Truck docking will be off Winslow Street. Ron asked if there would be night deliveries. Susan Loomis said there would be. Ron asked what the hours of construction would be and Skip said they are not planned to be 24-hour. Maybe when the shell is up, they would work later inside. Walmart will be upgrading the intersection at Winslow and Elmira Streets. We will need a developer's agreement for this. Discussion was held. Chairman Reagan then recessed the regular meeting at 8:10 PM to hold a public hearing on this issue. There being no further comment, the regular meeting reconvened at 8:11 PM. On motion of Jack, second by Robin, it was unanimous to grant preliminary plan approval to this land development contingent upon the owner's signature(s) on the plan; the highway occupancy permit received; the developer's agreement received for the Elmira and Winslow Streets intersection; and Conditional Use approval received for the 3 potential businesses to be located inside the Supercenter.

The Conditional Use Hearing for the Senior Healthcare Solutions project will be held on February 9, 2012 at 6:30 PM. Robin will do the legal notice and John will secure a stenographer for the hearing.

Ray Brobst did not attend the meeting tonight.

On motion of Jack, second by Maurice, it was unanimous to send Ray to the "Managing Multiple Priorities, Projects and Deadlines" class in Binghamton on February 28, 2012.

Robin said she received a letter back from PENNDOT and they will allow the prohibition of engine brake retarders on portions of Front Street in East Athens. Maurice asked if we are still receiving complaints on this issue and questioned whether or not we need to do this. Robin said he was the one that brought the issue to the Board – do you want to move forward? Our new supervisor, Christine Vough, was in attendance and she lives on Front Street. The Board asked if this is still a problem over there and she said it has gotten a little better, but the ordinance would be wonderful. Discussion was held. On motion of Jack, second by Robin, it was unanimous to advertise the ordinance for adoption at our meeting of January 25, 2012.

The Betty Jo Morris repair has not been completed as yet. Maurice said they plan to clean out the tanks after they're done repairing the ditches. Jack said he would like to put two more additional tanks in there as well.

Robin received a letter back from PENNDOT stating they will allow the speed limit to be lowered from 55 mph to 45 mph on the stretch of Route 220 between Milan and Greens Landing, including Hawbaker's. Robin said we would need to draft an ordinance for that. On motion of Ron, second by Robin, it was unanimous to have John draft the ordinance and advertise it for adoption at our January 25, 2012 meeting.

Ron said he and Robin will step away from the police union negotiations and Maurice and Christine will take over.

On motion of Robin, second by Cheryl, it was unanimous to adopt RESOLUTION 2011-14, setting the millage for 2012 at 11 mills. This is the same rate as 2011.

On motion of Ron, second by Robin, it was unanimous to adopt RESOLUTION 2011-15, setting the contribution to the Athens Township Volunteer Fire Company at \$93,100 for 2012. Maurice reported that the fire company had received a \$10,000 donation from Chesapeake Energy for the work they did in the flood and for housing the displaced residents at the fire hall.

On motion of Maurice, second by Jack, it was unanimous to adopt RESOLUTION 2011-16 adopting the 2012 budget as advertised with no tax increase.

On motion of Ron, second by Maurice, it was unanimous to send Ed Reid to the Certified Floodplain Management classes March 25 – 30, 2012 in Scranton, and to pay his expenses and his salary for the time he would have worked.

On motion of Ron, second by Cheryl, it was unanimous to approve the PSATS invoice for 2012 with the addition of Christine to the Township News subscription.

On motion of Robin, second by Maurice, it was unanimous to pay the 2011 dispatching invoice (for 2011) in the amount of \$3,034.80. The invoice was dated December 13, 2011.

Robin said we had received letters from the County stating they had refunded 115 days of taxes (after lowering the assessments) for 5 flood-damaged homes in the township, and recommended we consider refunding our share of the taxes. On motion of Jack, second by Maurice, it was unanimous to have Ginger Kinner calculate the refunds for the 5 properties and have Ruth send a refund to the affected residents.

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On motion of Jack, second by Maurice it was unanimous to ratify the Notice of Intervention to be filed by John Thompson in the case of the Walmart assessment appeal.

On motion of Ron, second by Maurice, it was unanimous to allow those interested in attending the PSATS Convention in May, 2012 to go, and to have Jack Walter be the voting delegate for the township.

On motion of Maurice, second by Cheryl, it was unanimous to accept the monthly reports as presented. We received 5 fire reports, so we are now up-to-date.

On motion of Cheryl, second by Maurice, it was unanimous to approve the payment of the monthly bills as presented. A complete listing of revenues and expenditures is on file in the office of the Treasurer.

Correspondence/Information was as presented in the meeting agenda.

Christine Vough said the flags on the Route 199 bridge look very nice.

Chairman Reagan took the Board into executive session at 8:55 PM for personnel issues. The regular meeting reconvened at 9:30 PM.

On motion of Robin, second by Cheryl, it was unanimous not to waive the fee for the highway occupancy permit for Verizon on Lamoka Road, and to have John Thompson look into whether or not we can require them to bore under the road instead of cutting it.

On motion of Robin, second by Cheryl, it was unanimous to have John Thompson draft and advertise for our January meeting an ordinance requiring anyone to bore under our paved roadways instead of cutting into our roads.

On motion of Jack, second by Cheryl, it was unanimous to pay the invoice from Valley Energy for the damage caused by Randy hitting their gas line on Gateway Industrial Park Road when the line was marked.

On motion of Jack, second by Cheryl, it was unanimous to terminate the employment of Patricia Brown by the township as soon as she can be notified.

There being no further business, on motion of Ron, second by Cheryl, it was unanimous to adjourn the meeting at 9:35 PM.

Respectfully submitted,