

ATHENS TOWNSHIP SUPERVISORS

March 27, 2013 7:00 PM

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

Chairman Fay read a letter from our Solicitor, who was vacation, recommending that the Board accept the bid of Lycoming Supply for the Wildwood Acquisition Demolition Project. He stated in the letter that Upstate Machinery was the low bidder, but their bid was not compliant with the bidding requirements and therefore, in his opinion, must be rejected. Lycoming Supply was the second lowest bid and the lowest of the acceptable bids. Ron made the motion again to award the bid to Lycoming Supply. A gentleman in the back of the room asked why Upstate Machinery's bid was "illegal". Ron read Attorney Thompson's comments from the minutes of March 13, 2013, that the paperwork was not filled out correctly and was not appropriately completed. Christine requested a change to the minutes of March 13, 2013, stating she did not want to go with another company, she voted no because the 3% was not in the budget. She feels she did not have accurate information. Ron Reagan stated that the Board voted unanimously on January 30th to pay up to 3% if necessary. We are pursuing a grant and ICC insurance to offset the 3%. If the 7 homes were left, the township could be paying much more to go through the condemnation process and take the houses down at their own cost. Christine said the secretary knew this way back in 2011 and should have shared this with the Board prior to budget instead of bringing it after the budget was approved. Robin said she was there, too, and Christine said not in 2011. Robin asked her if she was accusing her of something. Christine said it could have been put in the budget. On motion of Ron, second by Cheryl, it passed to award the bid to Lycoming Supply. Christine voted no.

Bill Morris, Chairman of the Athens Township Auditors was present to give the auditor's report for 2012. He said the books balanced. Our Treasurer, Ruth, did an outstanding job. The auditors submitted 5 recommendations to the Board for consideration, along with the audit report. They do recommend that the Supervisors raise the amount of Robin and Ruth's bonds to better reflect the amount of money that they have access to at one time.

Voice of the Residents:

Joe Suleski of Round Top Road said the 35 mph sign on Round Top Road near Wolcott Hollow Road is missing and he would like to see it replaced. Ray will take care of it.

Scott Sample of Northern Tier Solid Waste Authority (NTSWA) was present to ask the Board to reconsider the repeal of the section of our township code that says all waste must go to NTSWA. He asked if the township was happy with the service. Maurice said they do a wonderful job, and said he doesn't think this will make much of a

change. Scott said Taylor and B & E take a lot of waste out of the area. Their tonnages went down this year. Recycling is funded through the tipping fees. Ron asked how do we know who actually goes to Burlington without following them, and Scott said that is a problem. Cheryl said our solicitor says there is no way of enforcing this – until you have a solution, we can't do it. Jack said NTSWA tries to keep the tip fees as reasonable as possible. Cheryl asked if they advertise. She said she knows they're a lot cheaper than one of their competitors and you should advertise that. You need to draw in business. Scott said they do give a discount to the haulers to bring trash to their site. He's glad to hear that Lycoming Supply got the demolition job because they'll probably bring the debris to them. He advised the Board that in the future, if we have to deal with a lot of flood debris, we should call them and they may be able to waive the State fee to make disposal less expensive. Jack said one of our big haulers is Casella, and they have their own landfill. He thinks they're based out of Boston and there's a lot that goes on behind the scenes that you don't know about. Scott said they can really undercut them. Athens Township is one of the largest municipalities in the County. He's concerned others may follow suit if we do this. Ron asked if they will still be accepting electronic stuff and they will at Burlington. He said they may be able to bring a covered roll-off to our recycling center a couple times a year. They accept anything electronic with a cord. Jack said we need to get our two attorneys together to see what the law is. Ed Campbell of Wildwood Road asked if they can have a place for paint cans and hazardous chemicals. Scott said they have to hire a special contractor when they collect hazardous waste, and it costs about \$12,000/day. They try to do it once a year, and reach out to businesses for donations toward the cost. Christine asked Robin when John will be bringing this to us for review and approval. Robin said he distributed it on the 13th and asked the Board to get back to him by Friday the 15th after they reviewed it, so it was advertised by John for adoption tonight. Robin said the Board could table it until the attorneys had a chance to get together.

Ray Brobst was present for Public Works and asked how his truck and trailer bids were coming along. Ray had gotten a spec for a Volvo but had no pricing. Cindy had contacted some vendors but they hadn't gotten anything back to her as of yet – maybe next week. Robin had gotten bids for a Freightliner CNG tandem axle and 2 diesels and a Volvo diesel, as well as 2 trailers. Ray said you can't beat a Volvo for traction – they have one of the best rear suspensions. Scott of NTSWA said they use Freightliners and they get around just fine. Christine asked Ray if he had seen the information Robin had compiled and he said yes, some of it, but said 'it's all Greek to me'. Christine would like to review the information. Ray will look at it and make a recommendation.

Ray asked when he can get part-timers. He has one guy going in for surgery and needs 2 part timers for April. Jack made the motion to hire 2 part timers. Christine asked that the motion also direct the secretary to put the ad in the paper. Robin said that's the way we

do it, and we also list with Career Link. Christine said we didn't do that last year and Robin said that's because we didn't have part timers last year. Cheryl asked how much we have paid the part timers in the past. Robin wasn't sure, but the Board thought it was \$10/hour. Christine seconded the motion. Cheryl said Ray never asked for part timers in his budget. Ray said he's always been brought into a budget meeting but wasn't this year. Cheryl said you submitted your requests in writing, but didn't ask for part timers. Ray said he forgot to put them on there, and then left the meeting. Dan Stark of Clinton Street asked if we could use prisoners. Richard Bean said they used them in the park one year and had a problem with not getting the same ones so you had to retrain them all the time and it was counter-productive. Robin said when she called last time we were looking to use prisoners, they said they would only let you have them in 2-week increments. Christine said she would be willing to make phone calls to the jail to see if the process has changed. Jack said if we don't get part-timers, he doesn't want any complaints for the rest of the year about road work not getting done. Maurice called for a vote. Jack and Christine voted in favor of part-timers and Maurice, Cheryl and Ron voted no. The motion failed.

Richard Bean reported for the Parks and Recreation Commission. He presented a plaque that the Valley RC Club received from the Academy of Model Aeronautics in appreciation and recognition of 40 years of sanctioned AMA Fun-Fly competitions. He said Adam Myers has installed all the benches and barbecue grills at the Jim King Memorial Park for his Eagle Scout project and has done landscaping around the sign. Haas Landscaping Architects is working on the construction plans and cost estimates for the pond project. Richard also received a \$1000 donation toward the Round Top Pond project from First Community Foundation Partnership of PA / Murtland Family Fund. Cheryl asked Robin to send a thank-you letter to them from the Parks Commission and the Board of Supervisors. Round Top Park will open May 4th this year. Barry will start working on April 8th. Cindy is working on the new parks brochure on her own time and is being paid by the Parks Commission. Meade Murtland has supplied pictures. Ron said he thinks Cindy should be doing this on township time, since it is for our township parks. There is still about \$3,000 left in donations for the Jim King Memorial Park. Richard asked if there was anything the Board would suggest for there – maybe more trees or landscaping. Parks inspection will be on April 13th at 9 AM. They will meet at Tozer's Landing. The Commission has increased the pavilion rental fees beginning in 2014, but will get the rates to the office so they will be able to use the new rates when people begin to reserve for 2014. Richard also reported there had been vandalism at Tozer's Landing Park and also to the new benches at the Jim King Memorial Park. The police department was notified.

Dr. Musto was not available for the meeting tonight.

Robin reported that Lauren Hotaling of Central Bradford Progress Authority had set up a meeting with her last week to try and get a better estimate of where we are for our Road C funding. Robin distributed a spreadsheet to the Board and advised them that at this point, it looks like we have enough funding for the project.

Ron presented the Wayne/Betty Bump 2-lot subdivision, Lot A to become part and parcel to the lands of Kevin/Alycia Wheeler on Washington Street. There are no deficiencies. On motion of Ron, second by Jack, it was unanimous to grant preliminary and final plan approval to this subdivision.

Jack made the motion to approve the minutes of February 27th and March 13th. Christine said she would like him to add her correction that she discussed earlier to the March 13th minutes. She said all she had was the draft copy of the minutes and was not supplied with an official copy yet. Cheryl explained that the minutes are not official until the Board votes to accept them. Robin asked Christine to restate the correction she requested. The sentence "Christine wants to go with Strong Excavating" will be removed and replaced with "Christine voted no because she wasn't told about the 3%". Christine seconded the motion and it was unanimous.

Discussion was held about the earthen berm that was placed on Sayre Borough property west of Lamoka Road between the road and the Bobb residence. Ed has been trying to locate an agreement between Sayre Borough and the developer approving the placement of the berm on this spot. Christine asked why we are looking into this. Robin said Ed and Cindy had received an inquiry about it and its possible removal by Senior Healthcare Solutions, the new property owner. Christine said she was here at the office on the day that Ed, Cindy and Robin were looking into this and she said we've spent a lot of man-hours on this. She asked again why we are doing this and Robin said Christine would have to ask Ed and Cindy. She asked how they were contacted – by phone? By letter? Robin said she would have to ask them. Ron said Mr. Bobb is concerned about the possibility of this being removed and has also inquired. On motion of Ron, second by Cheryl, it was unanimous to submit a Right-To-Know request to Sayre Borough for an agreement in place for the berm.

John Fives said the recycling crew would like to request the recycling center be closed on Easter Sunday. Jack made the motion to close for the three hours on Easter and it was seconded by Cheryl. Christine said she will be voting "no" because it is not a township holiday. She also feels we should accommodate our non-Christian constituents who would like to be able to bring their recycling on Easter Sunday. Cheryl asked if Christine would want the center to be open on Christmas, to which Christine replied that is a township holiday. Cheryl said she disagrees with Christine's rationale, and said it is past

practice that we are closed for Easter. Chairman Fay called for a vote. All were in favor with the exception of Christine, who voted no.

Robin presented ORDINANCE 2013-02 to amend the fire company billing ordinance that we have on the books. Christine asked Robin if she will have a chance to review the ordinance. Robin said Attorney Thompson had given it to the Board at the March 13th meeting, asking everyone to review it and get back to him on it by Friday, March 15th so he can get it advertised. On motion of Jack, second by Ron, it was unanimous to adopt this ordinance.

On motion of Ron, second by Jack, it was unanimous to adopt RESOLUTION 2013-04, setting the fees for the fire company billing.

On motion of Ron, second by Jack, it was unanimous to table ORDINANCE 2013-03 until the attorneys can get together on this.

On motion of Jack, second by Ron, it was unanimous to pay the invoice for Robin's bond immediately, and to get information to raise both Robin and Ruth's bonds to an amount reflective of the amount of money they have access to at any one time for the next meeting.

On motion of Ron, second by Cheryl, it was unanimous to send Ruth to the "Payroll Law" class in Elmira on June 4th, and to send her to the "Assessing Your Financial Condition" (June 12th in Wilkes-Barre) and "Intermediate Accounting" (May 22nd in State College) classes, paying her fees, expenses and salary for the time she would have worked, and for a hotel room on May 21st and June 11th. Robin will have Ruth make her own arrangements.

We received a letter from the Assessment office advising us that Walmart's assessment appeal has been settled and the difference in assessment is \$508,000. The letter said "If taxes were paid, please consider refunding your taxing authority's monies to the above listed taxpayer". Christine asked if she could see the letter. Robin asked the Board if they would like her to have Ginger calculate a refund amount for our next meeting and they would. Christine asked if I would put a copy of this letter in her box, and I will.

On motion of Cheryl, second by Ron, it was unanimous to approve the closure of Pennsylvania Avenue on June 6, 2013 between 5 and 9 PM for graduation at the request of the school district.

Robin received an email from Northern Tier Regional Planning and Development asking for a list of potential community development projects for 2013 in the township. So far

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she has the following projects on the list: Route 220/199/Wolcott Hollow Road signalization; Greens Landing Sewer upgrade; Lockhart Street sewer upgrade; Pump Station 1 & 6 upgrade; Trehab housing development; and Prezelski housing development. Robin told the Board the deadline for submission is April 15th, and if they think of any additional projects, let her know. Ron reminded her of the Thomas Avenue bridge replacement project, which she added to the list. Christine asked Robin to put a copy of the email in her box, and she will.

Ron advised the Board that he, Dr. Musto and Robin will be meeting with Arnie Kriner on April 2nd to discuss our sewer issues in the township.

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

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

Ron read a report from Ed Reid on his search for a replacement for the zoning car. It was decided to take this under consideration at next month's meeting.

Correspondence/Information was as listed in the meeting agenda. Christine asked to see the BSST Area on Aging letter requesting a donation.

Christine presented a letter from Larson Design group stating they will come free of charge to talk to us about doing our bridge inspection and the TIP program, sit down with us and review the information on our bridges to see what needs to be done.

Ron said there will be an open house and tour of a CNG pavilion and CNG vehicles in Lackawanna, NY on April 25th. Ed and Clif Cheeks will be attending.

Christine asked the Board to let her know what to do about Larson and the bridges.

Chairman Fay took the Board into executive session for personnel at 9 PM. The secretary was excused at this time and the remaining minutes were recorded by Cheryl Wood-Walter. The regular meeting reconvened at 9:21 PM.

On motion of Jack, second by Ron, it passed to make Cindy's health insurance retroactive to her date of full-time hire so the insurance will start April 1, 2013. All were in favor except Christine, who voted no.

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On motion of Jack, second by Ron, it was unanimous to speak with Arnie Kriner from Senator Yaw's office next week at our meeting to help put pressure on PennDOT to free-up the Road C Construction Contractor's payments, and to direct Robin to write a letter to Rep. Pickett for the same.

On motion of Ron, second by Jack, it was unanimous to remove Robert Blauvelt from both the Athens Township Sewer Authority Board and the Valley Joint Sewer Authority Board, and to appoint Terry DePew to the Valley Joint Sewer Authority Board to fill out the remainder of the term.

Maurice made the motion to hire Jason Serfass full-time as a patrolman, with the second by Christine, effective the beginning of the next pay period; directing the Treasurer to prepare the necessary paperwork for union dues, insurance, uniform allowance, etc., per the police union contract, with salary as per the police union contract. Chairman Fay called for a vote, which was as follows: Jack – yes; Maurice – yes; Christine – yes; Ron – no; Cheryl – no. The motion passes.

There being no further business, on motion of Ron, second by Maurice, it was unanimous to adjourn the meeting at 9:37 PM.

Respectfully submitted,

Robin L. Smith
Secretary