

ATHENS TOWNSHIP SUPERVISORS
January 4, 2016 7:00 PM
Organization Meeting

The meeting was called to order at 7:02 PM. Supervisors present were George Ballenstedt, Susan Seck, Christine Vough and Cheryl Wood-Walter. Secretary Robin Smith and Treasurer Ruth Casterline were also in attendance. The Pledge of Allegiance was said by those in attendance.

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

On motion of George, second by Susan, it passed to elect Cheryl Wood-Walter as Chairman. Cheryl abstained from the vote.

On motion of Cheryl, second by Susan, it was unanimous to elect Ronald Reagan as Vice Chairman.

On motion of Christine, second by George, it was unanimous to reappoint Robin Smith as Secretary of the Board for 2016.

On motion of Cheryl, second by Christine, it was unanimous to reappoint Ruth Casterline as Treasurer of the Board for 2016.

On motion of George, second by Christine, it was unanimous to hire Attorney John Thompson to represent the Township for 2016 at a rate of \$105 per hour.

On motion of George, second by Christine, it was unanimous to 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 full-time Non-Uniform employees granted immediately according to date of hire. Bargaining Unit holidays as per respective contracts.

On motion of Christine, second by George, it was unanimous to approve paid sick days per year for full-time 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 3 consecutive days. May use up to 10 days/year as FamilySick Leave ONLY if an immediate family member requires hospitalization or care afterwards. Bargaining Unit sick days as per respective contracts.

On motion of Christine, second by George, it was unanimous to approve vacation time for full-time 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. Bargaining Unit vacation as per respective contracts.

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On motion of Cheryl, second by Christine, it was unanimous to approve time off with pay for bereavement leave for Non-Uniform employees: for the death of husband, wife, children or stepchildren - 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 and also includes the death of any 'step-'. Granted immediately after employment. Bargaining Unit bereavement leave as per respective contracts.

On motion of George, second by Christine, it was unanimous to approve to continue to provide dental and vision coverage for each full-time Non-Uniform employee including the family plan, if applicable, as well as individual and family hospitalization benefits under NYS Teamsters Health and Hospital Fund; to provide short term and long term disability, AD&D and \$75,000 life insurance for police officers through Nationwide; provide short term disability (long term disability and AD&D insurance for some) and life insurance of \$30,000.00 for full-time Non-Uniform employees Bargaining Unit employee insurance as per respective contracts.

On motion of Cheryl, second by Christine, it was unanimous to approve 4 personal days for full-time Non-Uniform employees. Granted immediately and prorated according to date of hire. Bargaining Unit employee personal days as per respective contracts.

On motion of George, second by Christine, it was unanimous to approve and provide the Township Non-Uniform Pension Plan and contribute \$100,509 to it and provide a Police Pension Plan and contribute \$85,728 to it for 2016. The employee will be enrolled immediately upon hiring.

On motion of Christine, second by George, it was unanimous to approve that any supervisor in office during 2016 shall be authorized to perform any duties pertaining to Township affairs, whether administrative, road work, etc.

Ron Reagan arrived.

On motion of Christine, second by Susan, it was unanimous to give authority to Chairman of the Board to purchase supplies and small items of equipment without formal approval of the Board; give authority to the Vice Chairman if the Chairman is unavailable; and give authority to the other three supervisors to act in the same capacity in the event of emergency when the Chairman or Vice Chairman are not available.

On motion of Ron, second by Cheryl, it was unanimous to appoint Richard Bean as a member of the Vacancy Board for 2016.

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On motion of Ron, second by Cheryl, it was unanimous to appoint Code Inspections, Inc. as the building code enforcement entity for Athens Township in 2016.

Voice of the Residents – none

Clif Cheeks presented the Roy Hawkins 2-lot subdivision for review. All deficiencies have been met with the exception of the will-serve letter from the electric company and the signature of the owner on the plans. Planning Commission recommends preliminary and final plan approval contingent upon receipt of all deficiencies. On motion of Ron, second by George, it was unanimous to grant preliminary and final plan approval to this subdivision, contingent upon all deficiencies being met.

The Macafee subdivision is still lacking a corrected setback for Lot 3, so Robin has not certified the maps yet. Ed will contact Chris Gilbert regarding this.

On motion of Ron, second by Cheryl, it was unanimous to adopt RESOLUTION 2016-01 designating C & N Bank and M & T Bank as our depositories for 2016.

On motion of Ron, second by George, it was unanimous to adopt RESOLUTION 2016-02 appointing Cheryl Wood-Walter and Susan Seck as Athens Township's two representatives to the Bradford County Sanitation Committee Appeals Board for 2016.

On motion of Cheryl, second by Susan, it was unanimous to adopt RESOLUTION 2016-03 appointing Ruth Casterline as the Primary Voting Delegate to the Tax Collection Committee, and to have George Ballenstedt replace Robin as the First Alternate Voting Delegate.

On motion of Susan, second by Ron, 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.

On motion of Ron, second by Susan, it was unanimous to have George be the Voting Delegate for the township at the PSATS Conference in Hershey April 17 – 20, 2016.

Cheryl advised the media that our tentatively scheduled meeting with PennDOT concerning the Route 220/199 corridor will not be held on January 28th. No new date has been set as of yet.

Chairman Wood-Walter took the Board into executive session for personnel and pending litigation at 7:25 PM. The secretary was excused and the remaining minutes were taken by George Ballenstedt. The regular meeting reconvened at 8:35 PM.

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On motion of Ron, second by Cheryl, it was unanimous to approve the Memorandum of Understanding (MOU) for Larry Hurley, ATWP Chief of Police for one year at the same terms as the 2015 MOU.

On motion of Susan, second by Cheryl, it was unanimous to approve to pay Randy Harford \$10/month towards his personal cell phone bill.

There being no further business, the meeting adjourned at 8:40 PM.

Respectfully submitted,

Robin L. Smith
Secretary

ATHENS TOWNSHIP SUPERVISORS
January 19, 2016 3 PM

Chairman Cheryl Wood-Walter called the meeting to order at 3 PM. Supervisors also present were Ronald Reagan, Susan Seck, Christine Vough and George Ballenstedt. Solicitor John Thompson and Secretary Robin Smith were also in attendance.

Voice of the Residents: None

Robin advised the Board that we received the 2016 Room Tax Grant that she applied for to purchase new directional signs to Round Top Park in the amount of \$663.00. On motion of Ron, second by George, it was unanimous to approve, sign and execute the contract for this grant.

On motion of Ron, second by Christine, it was unanimous to approve, sign and execute the Deed of Dedication for 'Road B' in the Valley Business Park. Robin will send the Deed to Chesapeake's attorney for their signatures and have them record the deed with the as-build maps.

Alan Keller, Justin Batiuk, and Chris Neidig of PennDOT were here to update us on the Route 220/199 traffic project in Greene's Landing. Intersection #1 – Route 220/Wolcott Hollow/Owasco Roads - will be signalized. There will be a signalized left turn lane onto Wolcott Hollow from 220 northbound. There will be a dedicated turning lane southbound from 220 onto Wolcott Hollow.

Intersection #2 – Routes 220/199 – will have a dedicated, channelized right turn lane heading north. It will be offset 8 feet to the east to allow better sight distance for those turning from 199 onto 220. Alan said this will include a concrete barrier so people can't "change their minds" and pull back out into mainstream traffic. He also said they did consider a roundabout but that would require a lot of lighting that would have to be maintained by the township, and they think this offset lane will work best.

Ron asked if the speed limit will be changed at all. Alan said it may be changed. Chris Neidig said they intend to let the project in May, and activity should start around mid-June. It takes about 6 months to get the signal equipment and that will probably come in the fall. They may not be able to install that until the spring. Intersection #2 will be done first. They are currently talking to the Dandy on how to get their trucks in and out and will have curbing to define the ingress and egress. Alan said when the intersections become more efficient, that will help the traffic flow. They are also looking at making pedestrian and handicap accessible curbs/crosswalks at the signal from the trailer park to the Dandy and across 220.

George asked if Wolcott Hollow will still be 2-lane and Alan said it would. Alan asked if there has been a decrease in the gas traffic. Cheryl said traffic is still bad in the morning with the school traffic. It is also heavier at other times. Ron asked when the Sheshequin Road project will be done and the paper said June.

Cheryl asked how traffic will be handled during construction. Chris said traffic will be shifting, but their plans are not finalized yet. Ron asked if there will be signs to warn people that this will be

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ahead and Alan said they will have advance warning signs. He added that they will have 2 street lights at Intersection #1, and the signal will be maintained by the township.

Susan said the grate at the northwest corner of Intersection #1 is a real problem. People sometimes come to a complete stop because of that grate. Chris said they will be taking care of that – and they'll have drainage there. Christine asked where the pedestrians would cross and it will be right at the signal. She also asked about curbing and whether or not people walking down from McCloe's with children and strollers will still be able to access the Dandy from the west. They will still have access.

Jo Ann Daly asked if there will be any changes where 220 southbound goes from two lanes to one lane. Alan said they may lengthen the merge area by 500 feet or so.

The 10-ton weight limit was discussed on Mile Lane Road. Alan said they can be considered 'local' only if they have a bill of lading for a delivery on Mile Lane Road. Susan said she had been working with Steve Mutchler on this problem and he has offered a few suggestions. Cheryl thanked PennDOT for coming.

Cheryl took the Board into executive session at 4:05 PM for pending litigation and real estate. The meeting reconvened at 4:54 PM.

On motion of Susan, second by Cheryl, it was unanimous to fix the mower not to exceed \$2,500.

There being no further business, on motion of Ron, second by Christine, the meeting adjourned at 4:59 PM.

Respectfully submitted,

Robin L. Smith
Secretary

ATHENS TOWNSHIP SUPERVISORS

January 27, 2016 7:00 PM

Chairman Cheryl Wood-Walter called the meeting to order at 7 PM. Supervisors also present were Susan Seck, Christine Vough, George Ballenstedt and Ronald Reagan. Secretary Robin Smith and Treasurer Ruth Casterline were also in attendance. Attorney John Thompson was unable to attend. The Pledge of Allegiance was said by those in attendance.

Cheryl asked for a moment of silence in memory of former Township Supervisor, Maurice Fay, who passed away this past weekend.

Chief Larry Hurley was here with Letters of Commendation for the three officers who were involved in the solving of the recent armed robbery at the Dandy Mini Mart on White Wagon Road. He presented Sergeant James Shaw, Officer Thomas VanFleet, Jr. and Officer Richard Horton each with a letter and thanked them, and the entire department, for their dedication and exemplary work on a daily basis.

Voice of the Residents: none

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

On motion of George, second by Christine, it was unanimous to ratify Chief Larry Hurley's Memorandum of Understanding for 2016 as executed on January 4, 2016.

Scot Saggiomo presented the Cal-Far Energy Two, Inc. two-lot subdivision on the corner of Sunnyfield/Farr/Mile Lane for review. All deficiencies have been met, and Planning Commission recommends preliminary and final plan approval. On motion of Ron, second by Christine, it was unanimous to grant preliminary and final plan approval to this subdivision, and to execute the sewage paperwork (non-building waivers).

Dave Steinfelt was present for the Athens Township Volunteer Fire Company. He said they have been very busy lately. Eight members went to the "Active Shooters" class this month. Bingo is going well, George and Christine help when they can. They are presently doing a raffle as a fundraiser – tickets are \$25 each. Richard Bean thanked the fire company for all their help with the Round Top Star.

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Richard Bean was present for the Parks and Recreation Commission. They have several Eagle projects in the works. The oak is in for the construction of the picnic tables. The off-road club attended the Parks meeting this month and they will be doing some work on the trails as well as putting up some new signage. We received word from Senator Yaw's office that DCNR has awarded us \$200,000 towards the Round Top Park Expansion Project. We have hired Skip Schneider of CEI Engineering as our engineer for this Phase (II) and will be meeting with Skip and the grant writer on Thursday. We also received our \$40,000 reimbursement from Phase I. We need to hire a gatekeeper for Round Top as our faithful gatekeeper, Maurice Fay, has passed away. Richard has written a job description and the salary was set as \$20/day during normal days and \$15 during winter months when there is snow on the ground for cross country skiing. He added that Cathy Eccker will take over as scrap metal caretaker since Maurice had previously taken care of that as well. The Park Commission will be coming up with guidelines for race events (5Ks, bike races, etc.) held in Round Top Park.

No one was present from Athens Township Authority.

Susan requested permission to bid out materials for 2016. She is looking to bid stone, petroleum products, crack fill, tar and chip, asphalt, pipes, concrete blocks, salt and crushing, and is also requesting to bid out the lease of a roller for 12-months. Discussion was held as to what needs to be bid and what needs to be quoted. Susan will get with Robin to start the process. Robin had given Susan an email she received from Mark Burgess advising they have Jersey barriers for sale for \$75 each. Susan has a call in to Mark about those. The Bradford County Conservation office is giving us a ditch shaper that will attach to the backhoe. She also presented 2 quotes for a small roller they could use for patching potholes and shoulder work. The one in Binghamton has a price of \$5500, but is 'negotiable'. Discussion was held. On motion of Cheryl, second by Susan, it was unanimous to have Susan go look at the roller and to purchase it if it is in good shape, not to exceed \$5500, and to be paid for from Act 13 funds.

On motion of Ron, second by Cheryl, it was unanimous to let the bids for crushing, salt, fuel and a 12-month roller lease for the February meeting.

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On motion of Ron, second by George, it was unanimous to allow Robin to attend her PSATS Resolutions Committee meeting in Harrisburg on March 1, 2016 (PSATS pays hotel, mileage and meals).

On motion of Ron, second by Susan, it was unanimous to have John Thompson advise Chesapeake that a bond will be required for Road B prior to our acceptance of the road, with the bond amount to be determined. Robin also advised the Board that Charlie Boggs had requested that the Chesapeake's unused developer's escrow funds be released. Ron will have Ed send a letter stating all invoices have been paid and the funds may be released. He will request the letter be ready for the February 3rd meeting.

On motion of Ron, second by Cheryl, it was unanimous to approve the minutes of December 16, 2015, January 4 and January 19, 2016 as written.

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

Correspondence/Information was as listed in the meeting agenda.

Chairman Wood-Walter took the Board into executive session at 8 PM for pending litigation. Robin stayed for the session. The regular meeting reconvened at 8:35 PM.

On motion of Ron, second by Cheryl, it was unanimous to have Robin send a letter to PennDOT concerning an issue on Elmira Street.

There being no further business, on motion of Ron, second by George, it was unanimous to adjourn the meeting at 8:45 PM.

Respectfully submitted,

Robin L. Smith
Secretary

ATHENS TOWNSHIP SUPERVISORS
February 3, 2016 1:00 PM

Vice Chairman Ron Reagan called the meeting to order at 1:00 PM. Supervisors also present were Christine Vough, Susan Seck and George Ballenstedt. Cheryl Wood-Walter was unable to attend as she was at work. Solicitor John Thompson was also in attendance.

Ron took the Board into executive session for real estate at 1:01 PM. The regular meeting reconvened at 2:50 PM. George Ballenstedt left for another meeting and Secretary Robin Smith returned.

On motion of Ron, second by Susan, it was unanimous to ratify the letter sent to Chris Sutton after our last meeting.

On motion of Ron, second by Susan, it was unanimous to have John Thompson contact Chesapeake with the terms of the maintenance bond for Road B (\$200,000 for one year).

There being no further business, on motion of Ron, second by Susan, it was unanimous to adjourn the meeting at 2:55 PM.

Respectfully submitted,

Robin L. Smith
Secretary

ATHENS TOWNSHIP SUPERVISORS
February 24, 2016 7 PM

Chairman Cheryl Wood-Walter called the meeting to order at 7 PM. Supervisors also present were Susan Seck, George Ballenstedt, Christine Vough and Ronald Reagan. Solicitor John Thompson, Secretary Robin Smith and Treasurer Ruth Casterline were also in attendance.

Cheryl welcomed Boy Scouts Justin Lynch, Ian Lynch, Max Pan and Zach Trasco from Troop 17 and asked them to lead everyone in the Pledge of Allegiance.

Next was the opening of the bids. The first bid was for crushing (4000 cu/yd each of 1" minus modified and 3/4" minus modified). Three bids were received, which were as follows:

	<u>1" minus modified</u>	<u>3/4" minus modified</u>
Marcus Cole Construction	\$3.73/cu.yd.	\$3.73/cu.yd.
Daggett Sand and Gravel	\$4.22/cu.yd.	\$5.52/cu.yd.
Insinger Excavating	\$3.97/cu.yd.	\$4.18/cu.yd.

On motion of Cheryl, second by George, it was unanimous to award the bid to Marcus Cole Construction for both sizes.

Two bids were received for fuel (11,000 gal 87 octane and 14,000 gal LSD diesel – both delivered to the township tanks as needed) and were as follows:

	<u>87 octane</u>	<u>LSD diesel</u>
WOC Energy	\$1.17/gal	\$1.19/gal
Mirabito Energy Products	\$1.3466/gal	\$1.3708/gal

On motion of George, second by Christine, it was unanimous to award the bid to WOC Energy for both items.

The bids for the roller were opened and read. Bradco bid 3 different rollers, Highway Equipment bid 2, Monroe Tractor bid 2 and Stephenson Equipment bid 1 roller. Because the spec was detailed and several different options had been requested, on motion of Cheryl, second by Susan, it was unanimous to table the award of the bid until March 7, 2016 at 3:30 PM. This will give the Board time to review and compare the bids. The meeting will be here at the township building on March 7th.

Voice of the Residents: None

The Treasurer's report was reviewed at this time. On motion of Ron, second by George it was unanimous to set Susan's clothing allowance at \$500 for 2016.

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On motion of Susan, second by Ron, 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.

Charlie Boggs of Chesapeake Energy was present with regard to the dedication of "Road B" to the township. The deed had been executed by both parties, with the exception of the residency component that needs to be signed by the township. Charlie also requested that the requirement of the bond be waived, as the road has already gone through 2 freeze/thaw cycles and has held up well. On motion of Cheryl, second by Ron, it was unanimous to have Cheryl sign the residency component and to waive the bond requirement. Charlie Boggs was given the deed and the map to be recorded.

No one was able to attend the meeting for the Athens Township Volunteer Fire Company.

Richard Bean was present for the Parks Commission. There are 4 Eagle projects in the works. The Round Top Park Expansion Phase II grant was awarded in the amount of \$200,000 from DCNR. They will be installing 2 more pavilions, playground equipment and restrooms. The water and electric will also be put in to the picnic area. Other work that may be done will be the small parking lot, boardwalk, 2 docks and a trail. Our engineer will help us to make the decision. Money will need to be borrowed as matching funds to the grant. The plan is to go out for bid the 1st of May and start work the 1st of June. They will be applying for an additional DCNR grant in the upcoming 3rd round. DCNR will come to inspect in the summer when Phase I is complete. Barry has been hired as the gatekeeper for the winter months, but we need to hire a gatekeeper for the park season of mid-April to mid-November. The salary was set at \$20 a day during the park season and \$15 per day in the off-season winter months. The Commission has approved guidelines for any event that is held in the township parks. These will be distributed when reservations are made for the events. Non-profit organizations will not be charged for their events. They are also discussing a "No Smoking" policy for the picnic areas of the parks. The Tozer's Landing sign has been repaired at a cost of \$1500.00. We received a grant from the Bradford County Tourism Promotion Agency to purchase 6 Round Top Park directional signs. Senator Gene Yaw will be visiting our pond site on March 9, 2016 at 1:30 PM. Richard has asked the supervisors to attend, if they are available.

Susan Seck reported for the Public Works department. They have been busy working in the shop, patching roads and maintaining signs.

On motion of Susan, second by George, it was unanimous to ratify the selling of 2 used Tasers to Athens Borough for a total of \$500.

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On motion of Cheryl, second by Christine, it was unanimous to ratify the release of Chesapeake's unused developer's escrow funds.

On motion of Christine, second by Cheryl, it was unanimous to approve, sign and execute the 220/Wolcott Hollow Road signal application, and to adopt RESOLUTION 2016-04 to submit the signal application to PennDOT.

The motion to have Jim Shaw use his sick time for time off from 2/3 to 2/10 was moved to executive session.

On motion of Ron, second by Christine, it was unanimous to appoint Dr. Bruce Carpenter and Ms. Stacey Sickler to the Spalding Memorial Library Board for 2016 as the representatives from Athens Township.

On motion of Cheryl, second by Susan, it was unanimous to leave the Board Committee assignments the same as last year:

Cheryl:	Finance, Insurance, Right-To-Know
Ron:	Office, Buildings/Grounds, Planning, Zoning
Christine:	Sewer, Insurance, Safety
Susan:	Roads, Parks, Junkyards
George:	Fire, Police, Recycling

On motion of Ron, second by George, it was unanimous to approve the minutes of January 27th and February 3, 2016 as written.

The monthly reports were reviewed. There was no Building Permit report. On motion of George, second by Christine, it was unanimous to accept the monthly Police, Fire and Road Reports as presented.

Correspondence/Information was as listed in the meeting agenda.

Robin had received the information on the Northern Tier Municipal Summit to be held on March 23, 2016 at the Wysox Volunteer Fire Hall from 8:30 am – 12:30 pm. A fee of \$10/person is required. On motion of Ron, second by George, it was unanimous to send any employees that want to go, and to pay the fee.

Chairman Wood-Walter took the Board into executive session at 8:35 PM for real estate, pending litigation and personnel. The secretary was excused at this time and the remaining minutes were taken by Ronald Reagan. The regular meeting reconvened at 9:47 PM.

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On motion of Cheryl, second by George, it was unanimous to have the Department of Public Works employees, with the exception of DPW Union Steward Jack Belles (and also Police Union Steward Roger Clink), take 2 hours vacation or personal time for the meeting they attended on February 24, 2016. John Thompson will send a letter to the DPW employees and cc: Treasurer Ruth Casterline.

On motion of Ron, second by Susan, it was unanimous to have Steve Novak do real estate appraisals not to exceed \$5000.00, to be taken out of the building fund.

There being no further business, on motion of George, second by Susan, it was unanimous to adjourn the meeting at 9:49 PM.

Respectfully submitted,

Robin L. Smith
Secretary

ATHENS TOWNSHIP SUPERVISORS
March 7, 2016 3:30 PM

Vice Chairman Ronald Reagan called the meeting to order at 3:33 PM. Supervisors also present were George Ballenstedt, Susan Seck, and Christine Vough. Cheryl Wood-Walter arrived late. Attorney John Thompson, Secretary Robin Smith and Treasurer Ruth Casterline were also in attendance.

The bids for the roller were reviewed at length. Scott McQuay of Monroe Tractor was here to answer any questions about his bid. Discussion was held on warranties, new vs. used, purchase vs. lease, Tier 4i vs. Tier 3i, and other features. Ron asked Ruth if there was Act 13 money available if the Board chooses to purchase instead of lease and Ruth said yes.

Ron asked if Scott sells more rollers with an enclosed cab or without. Scott said he would estimate about 90% are without an enclosed cab because it is a safety issue. The sight distance is affected. Susan said they bid with a cab to keep the dust away from the operator. Ron is concerned about the safety issue with a cab. Scott said he can get a roller faster without a cab, and it would also be about \$3000 - \$6000 less without an enclosed cab with heat and A/C. Christine said the flaggers are subjected to the dust – she feels safety is pretty paramount.

On motion of Christine, second by Susan, it was unanimous to reject all bids and rebid for our meeting on March 30, 2016. Robin will need a bid spec by March 9th at 11 AM as that will be our deadline to submit for our March 30th meeting. Susan will work up a spec and John Thompson will review and approve.

Robin had a request from Laura Smith on Pump Station Hill Road about road trash pick-up. She volunteered to 'centralize' all the trash in one spot and asked if the township would pick it up. On motion of Cheryl, second by George, it was unanimous to approve this request, and have Laura contact Susan when it is assembled so the Public Works Department can pick it up this one time only.

Ron asked about the striping of King Road. Susan said it will be cheaper if we ask the striping contractor to do this when he will be up here in the area working. Robin asked if we might want to include having the traffic signal intersections restriped at the same time since we are responsible for that. On motion of Cheryl, second by Ron, it was unanimous to have Susan contact them to get on the schedule for line painting as necessary.

Discussion was held as to the problem we are still having on Meadowlark Road with trucks using that to get to Masco Cabinetry. Susan suggested we put up directional signs to Masco, but Robin said with Mile Lane being posted at 10-tons, they cannot use that road. Susan suggested the possibility of posting a truck length limit for Meadowlark Road to alleviate the problem. Ron had talked with the police department and we only

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have 2 officers certified to measure trucks. Susan will contact Steve Mutchler again. Robin will also email Alan Keller regarding the issue as well as the 10-ton weight limit for Mile Lane Road.

There being no further business, on motion of Ron, second by Cheryl, it was unanimous to adjourn the meeting at 5:14 PM.

Respectfully submitted,

Robin L. Smith
Secretary

ATHENS TOWNSHIP SUPERVISORS

April 27, 2016 7 PM

Chairman Cheryl Wood-Walter called the meeting to order at 7 PM. Supervisors also present were Ronald Reagan, Christine Vough and Susan Seck. George Ballenstedt was out of town, and Solicitor John Thompson had another commitment. Secretary Robin Smith and Treasurer Ruth Casterline were also in attendance. Cheryl led everyone in the Pledge of Allegiance.

Voice of the Residents:

Ann Skerpon, 195 Cole Street, asked what the plan is to fix Cole Street and make it right. She presented pictures of the drainage issues. They have standing water with green growing on it. The drain at the intersection of Cole and Elmira Streets is clogged. The road crew cut cattails out of the ditch but didn't remove them. Susan said Aqua PA has plans to replace a waterline down Cole Street this year, but they don't have a date yet as to when that will be done. Susan said she has a truck putting oil down as we speak. She also applied for a grant. The road has no base and needs to be raised and the drainage redone. She won't get the money if the project is already done. Ann said the road is so high the people have to drive up to get out of their driveways as it is. Susan said she cleaned the drain at Cole and Elmira Streets recently.

Cheryl Wood-Walter said without a good base, the road will erode from the top down, and from the bottom. We are trying to make a proper base. A resident said there are pieces of asphalt in the ditches by the cattails. Susan said the driveways have been put in without swales – this will be addressed when the top goes on.

George Williams, 115 Cole Street, said he can't get his trailer out of his driveway because the road is so high. Susan said they will put something in temporary so he can get it out. She also said that the \$18,000 figure thrown out there to blacktop would be if the base is already there. Tony Skerpon said you can't pave 2/10ths of a mile? Susan said it would take \$64,000. We're trying to fix it.

Michelle Murrelle, 110 Joy Street, asked if anyone has talked to the other utilities (cable and electric) to see if they plan any work in this area? What will be next? They have a huge water problem at the end of her road that needs a storm drain. Why did you spend \$104,000 for a roller when you could have put that money in the road?

Cheryl said she will talk to Larry about putting the new speed sign on Cole Street. Cole and Joy are not a thoroughfare. Michelle said they are – people cut through between Pennsylvania Ave. and Elmira Street. They have traffic from Lowe's and Aaron's every day, using it as a "cut through". Cheryl said we can move the speed sign there. Michelle asked if it could be made "No Thru Traffic" and we can't do that because it is a public road.

Joyce Mulcahy, 108 Cole Street, said it doesn't take long to do a traffic count. She drives 10 mph to keep the dust down and people pass her. The traffic has tripled and she doesn't know why. Tony Skerpon said there is traffic all day long, and they're not just going to the Dandy. Susan said we can't do anything to stop people from cutting through. Joyce said it started 6-7 months ago. They have a childcare place on that road.

Randy Simmons of Aqua PA said they intend to put their waterline project out to bid on May 16th, with a bid award around the beginning of June. Cole Street will be the first to be done. They will be going up the street with a new main and each house will get new service. Tony Skerpon was upset that they would be tearing up his perfectly good driveway. Randy said they don't need to do this project....

Cheryl said over on Pine Tree Road, they did the same thing. Randy said the main is on the north side of Cole Street, in the middle of the northern side lane.. Randy said they plan to go 5 feet deep.

Julie Swingle, 244 Vista Drive, had concerns as to where the work will be done, and what will be ripped up to do it. She added that at her house on Vista Drive, they have had an issue as long as they've lived there. The water comes down the driveway and into the garage. They have seen it flooded all the way to the back. Maybe you could look at that? Susan said the driveways don't have swales. We can look at it – the whole area needs drainage. It would be about \$300,000 to do the drainage.

Kevin Horn asked if they could get tax help for a few years.

Cheryl said the State is having a big push regarding stormwater. It's a matter of cost to get it done. It's hard to do in pieces because the water is all connected. Susan said to put storm drains in, the road has to be raised. It's very costly.

Another resident asked if this (roads being taken back to dirt) has affected real estate values in the township. Won't it hurt the tax base in the long run? Susan said if you go around the Valley, all roads need fixing. We're trying. Cheryl said we had this situation on Westbrook Street. We took a section of that back to dirt and it had to settle before a top could be put on.

Kevin Horn asked what we are doing on the south side of Cole Street? The water just lays there and you're not fixing it. What is the plan? Susan said the pipes will be the cost of the homeowners. Ron and Cheryl both said we pay for the pipes if we are doing the roadwork.

Michelle Murrelle asked if the township would put the cul-de-sac back in to keep the traffic out. Ron said people will just start going through Airport Seniors. Michelle said she and her neighbors would be willing to be inconvenienced with the cul-de-sac in order to keep through traffic out. Ron said with the required diameter of a cul-de-sac, you would lose a lot of yards.

Ron said road maintenance is always a problem and will take time. He said Public Works started on Cole Street – tying into Elmira Street. We have to be careful because PennDOT doesn't like us to put water into their storm drains. We have a 6-man road crew that needs to take care of 150 miles of roads if you count both lanes. We are trying to do the best we can with what we have.

Gregg Murrelle, 105 Joy Street, said their roads are like the Indy 500. They drag race to get to Elmira Street. Michelle Murrelle said the police can sit in their driveway if they want. Cheryl said we will get the speed sign over there. Michelle said they're all very frustrated.

Cheryl read the Treasurer's report. On motion of Christine, second by Ron, it was unanimous to have Ruth take the township vehicle to her Intermediate Accounting class in Scranton on May 3rd, and to take the Windham Township secretary with her.

On motion of Ron, second by Susan, it was unanimous to approve Ruth's attendance at the Quickbooks class in Towanda, and to pay the \$20 fee.

On motion of Cheryl, second by Susan, it was unanimous to pay the monthly bills as presented. A complete list of revenues and expenditures are on file in the office of the Treasurer.

On motion of Susan, second by Cheryl, it passed to pay for the roller with Act 13 funds received in check #3. Ron voted no.

Christine asked if anyone has given any consideration to the request that the township go to direct deposit for payroll. Ron said everyone would have to do it – all or none. We would have to pick a date to start, and it will mess up the first payroll to get it going. Time cards will need to be in 2 days prior. Ruth Casterline said the other option would be to hold one week back, leaving the first paycheck as only one week of pay. Ruth said the Board needs to decide. The direct deposit funds must be at the bank 2 days prior to payday. Susan said it's a direct deposit world now. All the shop guys want direct deposit. Cheryl asked if we should be sitting down with Ruth to see what works best. Ruth said you will need to adjust the pay period. Ron said it's a lot of work to get it up

and running. Discussion continued. Cheryl said the Board will have a plan worked out with Ruth by the May meeting.

No one was present for the Athens Township Fire Department. Cheryl reminded everyone that we still have a burning ban in effect.

Richard Bean reported for the Parks Commission. He has 4 Eagle Scout projects in the works: Zack Smith will be building 6 picnic tables; Spencer DeKay will be installing a flag pole for the American flag at Tozer's Landing; Jeff Gao will be building 6 picnic tables; and Cody Chandler has started to build a trail from the circle parking area to the lower pavilion. The water line contractor will start Wednesday, and Aqua PA will be blowing a line under Bobcat Road. The inmates have cut a path 20 feet wide through the woods. The bid package for Phase II of the park expansion will be ready for review this Wednesday. We plan to start the major work on June 15th. We have applied for a grant for Phase III. DCNR will come when work on Phase I is complete in the summer. The Tozer's Landing sign has been repaired at a cost of \$1500. Robin has sent a letter to the trucking firm but we have not received payment. John Thompson will be sending a letter. Park inspection was completed April 9th. Barry started work on April 11th. A rep from GameTime will be visiting the first week of May to discuss playground equipment. Richard said he and Robin attended the NTRPDC Annual Meeting. Round top was their number one project accomplishment for 2015. Matt Williams, our grant writer, did a great job describing the project. Richard also said Aqua donate their time for the park water project. Ron said there is a new eagle's nest on this side of Round Top. Ron asked if there was enough Act 13 money to cover the park expenses until the funds come and Ruth said yes. Ron also asked Richard how long he would like the term of the loan from the bank to be, and Richard said 10 years.

The Aqua Pennsylvania Conditional Use hearing was scheduled for June 9th at 6 PM.

The Board will hold a special meeting on May 18, 2016 at 6 PM for the Austin Gravel Mine land development on Wildwood Road instead of at their regular meeting of May 25, 2016.

On motion of Ron, second by Cheryl, it was unanimous to adopt RESOLUTION 2016-07 and to execute the Component 2 for the Hausknecht privy.

On motion of Ron, second by Cheryl, it was unanimous to table the Joann Souder subdivision on Braddock Road until the May 25, 2016 meeting.

The Williams Ford land development at 1538 Elmira Street was presented by Tim Gourley. They have received a zoning variance and will be constructing a 27000 sq. ft. building on the parcel. Christine asked if anyone had taken plans to the fire chief. Tim said that will be part of the building permit process. Ron said the fitting on the building needs to be correct. Ron asked where the trucks will load/unload and it will be off Bressler and Herrick in the bull pen area. Clif Cheeks outlined the deficiencies. On motion of Ron, second by Susan, it was unanimous to grant preliminary approval ONLY to this land development contingent upon the resolution of the following deficiencies:

- 1) Final design of utilities
- 2) Signatures on the plans
- 3) Township and PennDOT Highway Occupancy Permits
- 4) Lighting plan (presently shows significant amount of light going off the property) revised to Township Engineer's satisfaction.
- 5) Sidewalk installed on Herrick Avenue
- 6) Sign package

Susan reported that the Public Works Department is working all over the township pulling ditches. Ron said we need to think about taking our right-of-ways back. Susan will be doing a road inventory as well.

Road inspection was set for May 16th at 5:30 PM.

On motion of Cheryl, second by Ron, it was unanimous to approve, sign and execute the Bradford County dispatching contract for 2016.

On motion of Cheryl, second by Ron, it was unanimous to refund the property taxes from 2012 through 2015 for a Sullivan parcel 09-006.00-032, which does not exist. Robin will contact Ginger for the amount to be refunded.

Robin presented 2 assessment appeals (Putnam, Grippo) that will be heard on May 19th.

On motion of Christine, second by Cheryl, it was unanimous to approve the minutes of March 30, 2016 as written.

On motion of Christine, second by Ron, it passed to approve the minutes of April 6, 2016 as written. Cheryl abstained as she was absent on April 6th.

On motion of Cheryl, second by Christine, it passed to approve the minutes of April 23, 2016 as written. Ron abstained as he was absent on April 23rd.

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

Correspondence/Information was as listed in the meeting agenda.

Chairman Wood-Walter took the Board into executive session for pending litigation and personnel at 9 PM. The secretary was excused at this time. The regular meeting reconvened at 9:42 PM.

On motion of Ron, second by Christine, it was unanimous to adjourn the meeting at 9:43 PM.

Respectfully submitted,

Robin L. Smith
Secretary

ATHENS TOWNSHIP SUPERVISORS

May 18, 2016 6 PM

Vice Chairman Ronald Reagan called the meeting to order at 6:05 PM. Supervisors also present were Susan Seck, Christine Vough and George Ballenstedt. Cheryl Wood-Walter was not in attendance. Solicitor John Thompson and Secretary Robin Smith were also present. George Ballenstedt led everyone in the Pledge of Allegiance.

Voice of the Residents: None

On motion of Ron, second by George, it was unanimous to approve the engineering contract with CEI Engineering for the Round Top Park Expansion Phase II, and to have Ron sign the contract.

Kurt Lafy had contacted Robin again regarding the invitation sent to the Supervisors in February to attend the Civil War soldier grave commemoration in Tioga Point Cemetery on August 27, 2016 at 10 AM. He had not received any responses from the Board. George confirmed he will attend. Ron said he could not go.

John Thompson did not have the original Stormwater Systems Maintenance Agreement, the Open Space Maintenance Agreement or the Road Maintenance Agreements for Gateway Commons, but copies were available for review. On motion of George, second by Susan, it was unanimous to approve, sign and execute the three agreements when John gets the original paperwork to Robin.

Ron began the review of the Austin Excavating & Paving, Inc. land development along Wildwood Road with the instructions that Austin's will go first, the supervisors will then ask any questions they have, and then the floor will be open to the public. Austin's were represented by Tim Gourley of Dietz Gourley Consulting and Attorney Dick Sheetz.

Tim Gourley said he will go over where we are now. He said the plan has changed very little since the Conditional Use approval hearing. They have updated the comments of CEI Engineering's letter dated March 29, 2016. Clif Cheeks passed out the packets that were received by Planning Commission at their May 2nd meeting. Tim read through the comments and provided his answers for each:

- 1) Section 424 Provide PADEP and applicable Federal permits/approvals when available.
 - a. Tim stated they are working through the process

- 2) Section 424.B.1 Identify the township roads that will be utilized by normal truck routes. Provide information necessary for bonding
 - a. Tim said they will use Wildwood Road, Shepard Road and Cayuta Street.
- 3) Accessory storage trailers – provide information regarding construction trailer and storage trailers proposed for the site. Permits will be required, coordinate with Zoning Department.
 - a. Tim said they acknowledge they need to be permitted and in compliance with the floodplain regulations.
- 4) Section 202.A.1 Provide title block with the plans, stating the Preliminary stage of submittal
 - a. Done
- 5) Section 202.A.9 Provide boundary of 100-year floodplain.
 - a. Done
- 6) Section 202.A.9 Provide information regarding the possible floodplain elevation as it correlates to the proposed earthen berm elevation surrounding the mining area. Will flood elevation enter mine area or be held by berm?
 - a. Tim said the berms around the site will not hold floodwater out. The existing drive elevation is 766 and 770 is flood level, so it will flow into the mine 4 feet.
- 7) Section 202.A.10 Provide additional grading information for the entrance to better understand its role as a potential inlet (flood event) and discharge for receding floodwaters.
 - a. Narrative was submitted to Skip
- 8) Section 408.B.5 Provide discussion regarding the interim stages of stormwater flows as separate phases are developed (i.e. wetland D drainage area is truncated with berm)
 - a. Tim said they looked at 8 phases and added additional features and access. In Phase I the perimeter berm will be around 3 homes. Tim went through each phase and discussed berm placement and stormwater sump. Completion will be the reclamation plan they originally proposed, and berms will be graded to the minimum grade.
- 9) Section 409.B Include Wetland Indemnification Statement on plans
 - a. Done
- 10) Section 409.D Provide approvals by PADEP and USCOE for the proposed disturbance of wetlands when available
 - a. Will provide.
- 11) Will a Phase I Archeological survey be required per the PHMC?

- a. They are evaluating at this time. They will have to do a Phase I if they do a phase that disturbs a wetland.
- 12) Provide some additional information regarding internal circulation/site access. There appears to be no break in the berm nor access road to bench elevation 760'
 - a. Shown
- 13) Will berm be installed around the entire perimeter of all phases or will it be around each phase, and then moved? Is there enough material to create entire berm (too much material)?
 - a. Tim said berms will be done for each phase to minimize the amount of disturbance.

Comments from Planning Commission meeting of April 4, 2016:

- 1) Road evaluation for bonding
 - a. Tim said this will be addressed with the Hunt Engineering study
- 2) Additional screening for the Campbell property
 - a. This will be done
- 3) Note right-of-way width of Wildwood Road
 - a. Tim said it's on the plans
- 4) Provide additional grading information for the entrance
 - a. Tim said this is done and has been approved by Skip

Tim said they have addressed all they can at this time. Ron asked if any of the Supervisors have questions. Clif Cheeks said they will need zoning permits for accessory structures.

George asked what the supervisors do with the road study once it is done? Ron said we will decide what we and Austin have to do.

Attorney Jon Foster, representing 35 residents and their families from Wildwood, said he is curious regarding what the Hunt Engineering study will do and about getting together with the developer. Ron read the Hunt proposal. They will be doing 5 bores and will be doing a test to check the stability of the subgrade.

Jon Foster asked if there will be bores on Wildwood Road and Ron said yes.

Jon Foster asked if there is something in question as to road suitability. No answer. He said the 25-ton weight limit was determined by Municipal Solutions,

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however no testing was done. Jon asked if the trucks will weigh between 35 – 37 tons and the answer was yes.

Jon Foster asked if there was a question on the adequacy of the road and Ron said that's why the study.

Jon asked if there were concerns about the road width and Ron said the road needs to be maintained – we need to bring it back to the proper width. Jon asked if this would be the entire road and Ron said if need be.

Jon asked if the road was surveyed. Tim Gourley said no, just a boundary survey of the site was done. Jon asked how the 16-1/2 ft. on each side affects trees, etc. Tim said all improvements will be on their land outside of the right-of-way (ROW). He also said they did not survey the whole road.

Jon said there are 55 utility poles – will they be moved? Who pays for that? Ron said he doesn't have an answer. Jon asked what they will do at the swamp and there was no answer.

Jon asked if this is the only township road they are widening, and Susan said no, they are doing through the township.

Jon said a road that serves 20 or more houses is considered a minor collector street in the SALDO. He asked how you fit a 36 foot road into a 33 foot ROW? He was told this is an existing road. Jon asked if, because this is a new development going in, will it have to be brought up to spec? (no answer)

Jon said in section 104H of the SALDO, you have to “ensure that the cost of design and installation of site improvements in proposed subdivisions and land developments be borne by the developer rather than the pre-existing Township residents”. Ron said when the study is done, they will sit with the developer.

Jon also stated the SALDO requires you to follow the Zoning Ordinance. He said in Section 424B it states, “Mineral extraction operations shall abut on or provide direct access to a street or highway capable of accommodating heavy trucks and employee traffic. Truck access to any excavation site shall be arranged to minimize danger to traffic and nuisance to surrounding properties”. Why didn't you do this at the Conditional Use hearing? Ron said they are trying to minimize the impact.

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Jon said the issue of accommodating traffic has to be taken into consideration at the Conditional Use hearing and again in the SALDO review. Will you consider this? Ron said they'll work with the developer.

Jon said if you had the quote from Hunt Engineering back in July, why was this not taken care of before the October decision? Ron said he has no answer to that.

Jon Foster handed out a memo outlining what sections of the SALDO apply to this development, and addressed each point. A copy of this memo is included in these minutes as Attachment #1 (4 pages). Jon said Section 101 states the Supervisors are charged to "promote and protect the health, safety and general welfare of the residents of the municipality". The remaining sections of Attachment #1 state that the Supervisors need to follow their ordinances; take every precaution to preserve natural and historic features; observe street standards; protection of private water wells and wetland areas; also follow Industrial land development criteria; and assure that mineral extraction operations shall abut a road capable of accommodating heavy trucks and employee traffic. Jon asked if the Planning Comm. or Supervisors will take your ordinances into consideration. (no answer).

Jon said Tim had previously stated that he thinks DEP will come back and have them do a survey of all the wells. Tim said yes, he believes they will.

Tim Gourley said they have submitted a pre-application to DEP. When they submit their formal application, a public hearing will be held. Tim added that they have a 1-year window to address the DEP comments from the pre-application. Jon Foster asked if they will do this same process with the air quality permit and Tim said no. Tim said they understand they will not get their zoning permits until they are in compliance with the zoning ordinance.

Jon asked when the board will make that decision if the road is okay and Ron said after the road study.

Jon submitted a memo to the Board that includes Lake Randall's (residents engineer) and Tim Gourley's traffic information. This is included in the minutes as Attachment #2 (19 pages).

Jon asked if the Archeological Phase I is a USACOE issue, and Tim said it was. Jon then asked about the PHMC. Tim said they received a letter back from them that a Phase 1 study is recommended but not required. If a federal permit is required for

anything, they will need to do that. ACOE is driving it, but PHMC will be overseeing it and clearing it.

Jon asked in what phase the berm would be installed for the Rude property. Tim said they will do the whole back section before the berm is constructed. Jon asked about fencing and Tim said they will not fence the whole thing – just the active highwall areas.

Jon commented that they are working with the township supervisors to get the study to show if it can handle the weight and Tim said yes. Jon asked if the 33 ft. ROW is shown on plan and it is. Jon asked if the cartway is shown and Tim said it is not. He said it's anywhere from 18 – 20 feet.

Jon asked if the 33 ft. ROW goes into the wetland and Tim said no.

Jon submitted a handout on silica/dust and said he applauds the supervisors for getting a cab on their new roller to keep their employees from the dust. He said OSHA has new requirements and referred to the handout he gave them. The handout is included as Attachment #3 (3 pages) in these minutes. Jon said he has no further questions or comments.

Marion Campbell, Wildwood Road, said she has lived there 65 years. No one has ever cared about this road. Why now – to accommodate this business?? Susan said a lot of roads have not been maintained. Marion asked Susan if this would have been done if this operation was not planning to locate here and she said yes, it would have been done. Marion said she did not appreciate Mr. Reagan's cavalier attitude when he states they will be coming through and taking what is needed and some of the neighbors won't like it.

Ron asked the Board if they have any more questions or comments. George said he thinks we need to revisit this as a group after the study is done to see what it says. Once we give preliminary approval we can't go back. Gourley has done a good job, but what if the road needs major improvements?

Attorney Sheetz said, on behalf of Austins, they have filed all the necessary papers. They have always maintained they are prepared to meet any contingencies the supervisors need to be met. They have gone out of their way to see the township is satisfied. He added that Industrial development plans don't apply here – your definition doesn't fit. He asks that the board give approval.

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Ron asked if we are the first part of the process and was told yes. Tim Gourley said if they can't meet the zoning ordinance, they can't apply. Tim said they've received zoning approval with the Conditional Use approval. They are trying to please everyone.

Jon read the definition of Industrial development which does include mineral extraction operations.

Jon said the Board gave Conditional Use approval which is being appealed by the residents. The hearing will be before Judge Smith on June 8th. Jon feels it would be proper to table this before it goes further. His clients have spent a lot of money on this for him and for their engineer.

George asked Clif about the final plan approval. Clif said they will have to ask for a 5-year extension every 5 years until their 20 year project is complete.

John Thompson asked Attorney Sheetz if he had any comments. He stated that the Planning Commission gave this unanimous approval and would like the supervisors to approve this.

Mike Austin said it's not just us using the road. The township plows go out there – he's not the only one. He also said they will try to keep it all Ag use as long as they can. He would hate to see the residents meet the plow or Ag machinery on that road. He said he can only imagine what it must be like meeting a snowplow.

George asked if the bond is set by what the study shows. John said you have to get a handle on the weight limit of the road. Robin said you can only request a bond amount of \$12,600 per mile. The road from the bad intersection east to the pit driveway is only about 8/10 of a mile, so your bond would be around \$10,000. You are responsible for keeping track of the damage of the road and asking Austin to fix it before you get \$10,000 damage. If they won't fix it, you use the bond. George asked if once they're on Cayuta Street, do they have to deal with Sayre? Mike Austin said he has talked with Blaine Lathrop and Dave Jarrett and they have no problem.

Ed Campbell of Wildwood Road asked how far did you go on Wildwood Road when you were on your road inspection Monday? Ron said they went to Winding River Drive. Ed said if you had gone around the curve to the end of Wildwood Road, people's houses are close to the road. Why didn't you go to the end? Ron said "I

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don't know". George said it was getting dark. Ed asked if there was any other reason why? Christine said she has driven to the end herself and it is very narrow.

Ed Campbell asked if the township was going to widen the road all the way to the end and Ron said no, only as far as the development driveway. Marion Campbell asked why not go all the way out?? Susan asked if anyone in attendance lived out that way and no one did. She said if the engineer comes in and says it should be a 5-ton weight limit, it can't be feasible for Mike to go forward.

George asked can't we do the study first and Ron said if we want to pay for it. George asked if we can pay upfront and have Austin reimburse the township. Jon Foster asked if they would be giving him preliminary approval contingent upon him paying for the road study?

Ron Reagan said we've had this quote for the road study since July and should have done the study back then. Now we have to take action. If we deny it, we need good reasons. We need to move on with this. No executive session. We need to decide.

Christine asked Jon Foster (about the article) if there are concerns regarding substances in the air coming to the residents. Jon said there are 300,000 workers and 2-million construction workers that are exposed. OSHA has a real concern with silica. Limiting it would be the best thing. Will workers of the mine have masks? Tim Gourley said MSHA will be monitoring personnel onsite, not OSHA. The onsite workers will be subject to these regulations. Jon said the Federal government is finally concerned with dust exposure. George said what about people on the dirt roads. Bob Sheetz said it's interesting that mining doesn't apply under OSHA – mining has its own regs.

George asked what would be appropriate conditions in reference to the road study. Susan said he won't take a wheelbarrow out there.... Hunt will give a recommendation as to what the weight limit should be and what needs to be done.

Ron said keep in mind that we do have zoning. If we didn't have it, Austin would be digging right now. We've had zoning for 15 years. Nothing has changed. This has been a gravel pit. Robin said this was a small gravel pit pre-zoning.

George asked about the cost of the study. Tim Gourley talked to Chris Wood and he said the cost would be about the same. Jon Foster asked how long the study will take and Tim Gourley said about a month.

Ron went through the deficiencies and asked for copies of all the submissions.

Tim Gourley said the DEP mining permit is the only one that requires a public hearing. Christine asked how you know if it will need a public hearing. Tim said they will advertise for 4 weeks in the local paper. Then there will be a 30-day comment period for written complaints. He said DEP will decide whether or not a public hearing would be required by the number of letters they get. He said from what they've seen so far, there will be a hearing.

Jon Foster asked what leverage the township has if you approve it and they say they're not going to do the improvements? John Thompson said it depends on how you make the motion.

George questioned if this would be feasible if Hunt says the road is a 5-ton rating. Is there a guideline that says you can't do the project after this limit? Jon said \$10,000 is not going to fix your road. He added Mile Lane Road has a 10-ton limit.

Ron made the motion to grant preliminary approval subject to the following conditions:

- 1) We undertake the road study at the cost of the developer.
- 2) Mike provide a bond for the township roads traveled.
- 3) Approval is contingent upon the developer working with the township to incorporate the proposed improvements recommended by the road study.
 - a. Attorney Sheetz said, "What does that mean"?
 - b. George said, "Share the cost"?
 - c. Ron said, "We can throw that word in there"
 - d. Robin said, "The township would share the cost"???
 - e. Attorney Sheetz was curious regarding the contingency if it's above what it's currently set at.
 - f. Ron said there's no way PennDOT went around doing core bores.

Austin's asked how much the township plow weighs that does that road. Susan said 17,500 lbs (approx.). They said they are asking about when it's loaded. Ralph Blowers was in attendance (he plows the Wildwood area) and said the 17,500 IS when it's loaded – they only take a single-axle out there.

Susan seconded Ron's motion and it passed, with Christine opposed.

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The Drug and Alcohol policy was presented for adoption at this time. Susan said the union is good with it, the crew is good with it, and John Thompson is good with it. Christine said the police just got this yesterday and haven't had a chance to review it. John Thompson said this is just for CDL employees. Christine said it's not just for CDL employees, and she proceeded to read sections of the policy that apply to all employees, including recycling attendants, office, and even the Supervisors the way it's written.

Christine said she spoke with Mr. Snavelly. Susan said you've had this for how long and you didn't reach out to the police department until now?? John said the police union steward had it. Christine said Mr. Snavelly confirmed it would be any front office employee, and any employee. Christine asked why rush into a decision today – we need to take more time. Susan asked Christine when did you reach out to the police department? John Thompson said you would have to adopt it as written. Robin said the non-federal/non-CDL employees would not have to be on the roster for random testing – just be tested if they were in an accident when they were on the job. George said Mr. Potter is okay with this. On motion of Ron, second by Christine, it was unanimous to table this until the May 25th meeting.

Vice-Chairman Reagan took the Board into executive session at 8:15 PM. The secretary was excused and the regular meeting reconvened at 8:47 PM.

On motion of George, second by Susan, it was unanimous to adjourn the meeting at 8:48 PM.

Respectfully submitted,

Robin L. Smith
Secretary

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE OF ATHENS TOWNSHIP 2013

Article 1

101. The Supervisors of Athens Township, Bradford County, PA, under the authority cited above do hereby ordain that this Ordinance was enacted to regulate subdivisions and land developments occurring within the Township in order to promote and protect the health, safety, and general welfare of the residents of the municipality, and to implement the policy goals and objectives established in the Athens Township Comprehensive Plan, adopted October 26, 2005, or as may hereafter be amended.

104. Purpose

- A. To accomplish orderly, efficient, and harmonious development of the Township.
- B. to Protect and promote the health, safety, and general welfare of the citizens of the Township.
- D. To secure the protection of soil and water resources and natural drainage ways.
- E. To facilitate the safe and efficient movement of people and goods through the Township.
- G. To encourage the utilization of flood hazard areas in a manner that will not increase the flood hazard.
- H. Ensure that the cost of design and installation of site improvements in proposed subdivisions and land developments be borne by the developer rather than by pre-existing Township residents.

400. General Standards

- A. The principles, standards, and requirements of this Part shall be applied by the Athens Township Planning Commission and Supervisors in evaluating and reviewing proposed subdivision and land development plans and shall be considered minimum standards. Where deemed appropriate or necessary to protect the public health, safety or welfare, the Planning Commission may recommend, and the Supervisors may require, more restrictive standards. Whenever other applicable regulations impose more restrictive standards, those regulations shall apply.
- B. The use of land in any proposed subdivision or land development shall be generally consistent with the stated growth policies contained in the most current version of the Athens Township Comprehensive Plan and shall comply with the provisions set forth in the Athens Township Zoning Ordinance, most current version, and any other ordinance or regulations hereafter enacted by the Township,

C. Land Deemed by the Township to be uninhabitable because of the hazards it presents for life, health or property, such as areas of excessive slope, unstable soils or soils of inadequate weight bearing strength, or sites susceptible to severe flooding (i.e. floodway sites), or those with very poor access, shall not be plotted for residential occupancy, nor for such other uses as may increase danger to health, life or property, or aggravate the flood hazard.

D. All subdivisions and land developments and all areas contained therein should be so planned as to take advantage of the natural contour of the land in order to maximize natural drainage, wind shelter and sun exposure. Grading, disruption of topsoil; and destruction of natural vegetation and other natural environmental conditions should be minimized to the extent possible to achieve these goals.

E. Every precaution should be taken to preserve those natural and historic features determined to be worthy of preservation by the Township, including but not limited to, large trees or stands of trees, watercourses, historic areas and structures, and scenic vistas.

402. Streets and Driveways

3. Where a subdivision or land development abuts or contains an existing or proposed arterial or Collector Street, the Township may require marginal access streets, reverse frontage lots, or such other treatments as will provide protection for abutting properties; reduction in the number of intersections with the arterial or Collector Street; and separation of local and through traffic.

* SEE ATTACHED TABLE

405. Water Supply

C. Individual On-Lot Wells

1. Where neither a public or non-public water supply system is proposed by a developer to serve his development, individual on-lot wells shall be installed by each property owner. Where ground water problems are known to exist, or where anticipated levels of development may result in water to supply problems, the Township may require the developer to demonstrate that a reliable, safe and adequate groundwater supply to exist to support water usage demands of the proposed subdivision without detrimental effects upon existing adjacent water well. (Supporting documentation must be provided by a qualified engineer or other professional of demonstrated capability; i.e. a hydrogeologist or hydrologist.) The standards set forth in the Safe Drinking Water Act and other appropriate PA DEP regulations shall apply in such instances.

409. Wetlands

D. Construction within wetland areas of the Township shall not be permitted unless such development can comply with Section 404 of the Federal Clean Streams Act and 25 PA Code, Chapter 105, "Dam Safety and Waterways Management." (Permits to meet both sets of

requirements, administered by the U.S. Army Corps of Engineers and the PA DEP, respectively, can be applied for using a joint application.) Zoning Permits shall not be issued by the Township until both the Federal and State regulations have been met.

Article 6. Land Development

600. General Requirements

D. All proposed land developments shall conform to the provisions of the Athens Township Zoning Ordinance, Ordinance # 150 of 2001, as amended October 19, 2010, or as may hereafter be further amended.

605. General Requirements

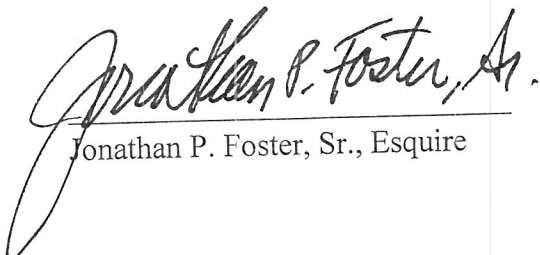
All industrial land development plans shall be prepared in accordance with the Plan Requirements contained in Section 204 of this Ordinance and shall also comply with all applicable design and Construction Standards outlined in Article 4, including the standards for streets and driveways contained in Section 402. In addition, all requirements established in Article 4, the Supplementary Use Regulations, of Township Zoning Ordinance, regarding such developments shall apply. Plans for industrial developments shall be submitted to the Township for review and action pursuant to the procedure set forth in Section 303 of this Ordinance.

Athens Township Zoning Ordinance

424. Mineral Extraction Operations

B. Mineral extraction operations shall abut on or provide direct access to a street of highway capable of accommodating heavy trucks and employee traffic. Truck access to any excavation site shall be arranged to minimize danger to traffic and nuisance to surrounding properties.

Respectfully Submitted,


Jonathan P. Foster, Sr., Esquire

Attachment 1, pg 3

Good evening, Board of Supervisors. My name is Jonathan P. Foster, Sr. and I represent 35 Township residents and their families in a community of 28 homes in the Wildwood Road. They are all property owners, tax payers, and voters in Athens Township. But most important they are homeowners who have invested their savings and hard work in owning a home in the Wildwood Road area of the Township. They also reside there 365 days a year and will have to deal with the traffic, dust, noise, poor air quality, odor and possible ground water pollution from the proposed Austin Gravel Operation.

Tonight you are again faced with a decision that will affect their lives. One of your conditions in the conditional use decision you rendered on November 3, 2015 was approval of Subdivision and Land Development application. You have the opportunity to stop this project because the Wildwood Road is not suitable or safe to handle this project. Your own Subdivision Ordinance requires a minor collector street serving 20 or more residents to be a minimum of 24 feet wide for the cart path and two 6 foot shoulders on each side for a total of 36 feet everyone agrees. Wildwood Road is 16-18 feet in width with no shoulders. Clearly under your township standards this road is not capable of accomodating the proposed travel increase from the gravel operation.

It is my understanding that the Township Planning Commission was recommending approval provided there was an updated letter concerning a study of Wildwood Road by Hunt Engineers. It is my understanding this study has not been done yet. If that is correct how can you approve this project until you have a study that this road can handle the weight of the trucks loaded with gravel and the heavy equipment that will be entering and exiting the gravel mine on the road.

You have taken that position that a gravel pit is automatically granted because it is listed as a conditional use, but your ordinance contains a list of conditions that the gravel pit must comply with. Yet you ignore those conditions or defer them to another agency D.E.P. for water quality and air quality, however this is a township road it is the Township's responsibility and you cannot defer the decision, you must make the decision is Wildwood Road capable of accomodating this gravel operation.

The Zoning Ordinance requires ingress and egress to the property and structure thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow, control and access in case of fire or other emergency; (Language in Zoning Ordinance section 1101E. Page 191)

Attachment 2, Pg 1

The Applicant did not provide adequate testimony on this requirement in the Athens Township Zoning Ordinance. The evidence shows the Applicant did not present any traffic study on how to deal with the automotive and pedestrian safety. The applicant's expert indicated that the **PEDESTRIANS SHOULD STAY OUT OF THE ROAD**. However, there are no sidewalks or adequate and safe shoulder to walk on. There was no plan on how there would be traffic flow control and there was no plan on access in the case of a fire or other emergency such as a flood. The proposed excavated gravel pit will eliminate a land bridge for the residents in the event of a flood that was utilized in the flood of 2011. The Applicant did not specifically address how they would run their operation to be compatible with the school bus schedule that operated in the mornings and in the afternoons. The Supervisors clearly did not address the school bus traffic in the conditions outlined in their Conditional Use Decision last November.

Lake Randall, the expert Engineer hired by the residents, provided a conditional use application study on the gravel mine prepared by his firm Mid-Penn engineering corporation and testimony on this conditional use criteria and addressed this criteria in his conditional use study on page 8.

Ingress and Egress to Property: No approved access point for this project has been identified for this property, nor a traffic study, pedestrian analysis, or emergency access.

Robin Smith, a 28 year Wildwood area resident and Athens Township secretary since 1999 and former Athens Township Supervisor, testified that the sight distance at the entrance to this mine is not safe. If you're heading east and come over the crest of the hill, there is real potential that a gravel truck may be stopped or slowly trying to make the turn into the drive – or even having to wait until a truck leaving the site gets out of the way to make room for him to turn. Near the bottom of this hill on the other side of the road is a blind driveway. If people are walking, jogging or biking, they may not even be seen until it is too late. If an accident occurs that blocks this road, emergency vehicles will not be able to get to us. (The residents) (Pg 381/381) The Township Supervisors' condition requiring the Applicant to obtain a driveway permit will not eliminate the traffic and road conditions.

There was no Traffic Safety Plan dealing with the intersection leading to Wildwood Road and the condition of Wildwood Road in dealing with the truck traffic.

Attachment 2, Pg. 2

ZONING ORDINANCE SECTION 424B PAGE 69. (2013)

Mineral extraction operations shall abut on or provide direct access to A STREET or highway CAPABLE OF ACCOMMODATING IN HEAVY TRUCKS and EMPLOYEE TRAFFIC. Truck access to any excavation site shall be arranged to MINIMIZE DANGER TO TRAFFIC and NUISANCE TO SURROUNDING PROPERTIES.

1) Why have you not stopped the trucks from running during school bus times? The road is barely wide enough for two cars to pass – how do you expect a car and a school bus with children to pass?

2) In the May 2nd Planning Commission meeting, Ron Reagan stated the township was going to be taking back their 33 ft. right-of-way while discussing Wildwood Road:

a) Are you widening ALL township roads or just this road to accommodate this operation?

1) IF IT IS TO ACCOMMODATE THIS OPERATION, Section 424B of the Zoning Ordinance states: “Mineral extraction operations SHALL ABUT on or provide direct access to a street or highway capable of accommodating heavy trucks and employee traffic.”, which this clearly would not if the road needs to be widened and tested.

2) Wildwood Road was obviously was not capable of handling this gravel project if the Township has to test it to see if it could handle the weight and there would be no need to widen the right of way to 33 feet.

b) Will you do Wildwood Road in its entirety or only to the proposed mine driveway?

c) Who will pay for the survey for the right-of-way – the taxpayers?

d) There are 55 utility poles in the ROW that would have to be relocated. Who will pay to relocate those?

- e) The wetland area is not 33 feet across. Permits will need to be obtained to fill this area or dig. Who will engineer this and at what cost to the taxpayers?
- f) What other roads will you be widening this year? (ask for a list, because if this is a PLAN, we would like to know what the PLAN is)
- g) Will the township crews be doing this work? When will they have time to complete widening all township roads?

I have highlighted the testimony of Mr. Gourley and Mr. Lake Randall on the roadway and traffic from the multiple hearings.

Does not include Centerline Road profiles and cross sections to document site distances for the driveway and the critical locations in the travel corridor; Mr. Gourley testified road is a concern, very narrow road, 16 feet to 18 feet wide. No traffic study on whether road can handle estimated 280 car trips and an estimated 60 gravel trips. Mr. Gourley admitted with gravel pit road damage will occur. And will exceed Township weight limit. Mr. Gourley aware if an accident there is no other way out. The Township Planning Commission was concerned about road study. Mr. Gourley admits curves and speed on road are a problem. See Lake Randall's report under Number 5 on Page 3.

Lake Randall, Engineer for the Protestant's testified that a typical through traffic impact study would include a **STUDY OF THE PEDESTRIAN AND BIKE TRAFFIC**. Which was not performed by the applicant. (Pg 305)

Lake Randall, Engineer for the Protestant's testified that Mr. Gourley testified the road is 16 feet wide in some areas and I don't care if its 16, 18, or 20 feet wide. Wildwood road is too narrow. It's already in bad shape. The shoulders on the edge of the roads on both sides, predominately in many areas, are almost in a state of complete failure by the indication of all the alligator cracking. When the wet season comes and you put traffic on there, they are going to completely fall apart even more. (Pg 324/328)

The impact upon vehicular traffic, pedestrians and surrounding residents. Mr. Gourley **DID NOT** present a **TRAFFIC STUDY TO ADDRESS VERY ACTIVE TRAFFIC OF PEDESTRIANS, CYCLISTS, BIRDERS, AND FISHERMAN**. Mr. Gourley's plan, "there is no sidewalk for pedestrian traffic,

Attachment 2, pg 4

again you **SHOULDN'T HAVE PEDESTRIAN TRAFFIC ON THE BERM,** there should be a sidewalk." (Pg 64) Please note, there are no sidewalks or no adequate shoulder to install sidewalks. Mr. Gourley admitted there are no sidewalks and a new road should be a minimum 24 feet wide with 6 foot shoulders on each side.

The application indicates the **34 TON TRUCKS** will exceed the **25 TON LIMIT** on the road. However there is no plan on how to keep the roads passable for the 28 residential properties.

The testimony initially was **30 TRUCKS**, round trip for 60 trips. However, Mr. Gourley admitted the public could come to the site and/or a drilling operation up to 50 trucks. This was not addressed in the plan with a traffic study.

Gourley testified that the applicant would utilize Wildwood Road into Sayre Borough to State Route 199 or Shepard Street. **THERE IS NO OTHER WAY IN OR OUT.** (Pg 15/16)

Gourley testified the road appears **TO BE VERY NARROW**, which is a concern to the residents and to ourselves whether accessibility is an issue in and out of that site. (Pg 16)

Gourley testified at a **MINIMUM WIDTH IT IS PAVED 16 FEET** wide with more or less an average of 18 feet wide throughout the overall road corridor. (Pg 17)

Gourley testified there are 28 homes in the area, generating possibly 10 trips a day. (Pg 17)

Gourley testified there has been **LITTLE MAINTENANCE** on the road way. (Pg 18)

Mr. Gourley showed two standard trucks parked side by side within inches of each other however, there were no videos of the trucks in motion passing each other. (Pg 19)

Mr. Gourley testified that there is **LIMITED SITE DISTANCE ON A HILL** that comes near the intersection. (Pg 19/20)

Mr. Gourley testified the posted speed limit is 35 MPH and there is a **POSTED WEIGHT LIMIT OF 25 TONS.** (Pg 21)

Michael Austin testified that a fully loaded dump truck would be 73 thousand pounds or **37 TONS.** (Pg 124)

Michael Austin testified that a fully loaded dump truck would be **36 TONS.** (Pg 068)

Mr. Gourley testified that the trucks and loaded trucks will exceed the posted township road weight limit and that the applicant will have to comply with section 424 of the ordinance and will have to post a bond for any damage to the road. (Pg 21/77)

Mr. Gourley testified that the Athens Township Police Department had 2 documented crashes and PennDOT had 4 crashes for Wildwood Road. (Pg 23)

Mr. Gourley testified that the portion of Wildwood Road from the intersection with Cayuta is approximately eight tenths of a mile. (pg. 57)

Mr. Gourley testified that the applicant **DID NOT DO A TRAFFIC STUDY OF** Wildwood road (Pg 77)

Mr. Gourley testified admitted that **THERE WILL BE EXCESSIVE USE AND DAMAGE** to the roadway by gravel. (Pg 78)

Mr. Gourley was unable to testify as to how often during the (20) twenty year gravel operation the road would have be to repaired. (Pg 78/79)

Mr. Gourley testified that he was not aware that the **TOWNSHIP TRAFFIC STUDY ONLY ALLOWED FOR THE RURAL AND RESIDENTIAL TRAFFIC ON WILDWOOD ROAD.** (Pg 79/80)

Mr. Gourley testified that the Township did classify the road as a **MINOR COLLECTOR** road which should be 24 feet wide. (Pg 80)

Mr. Gourley acknowledged that for a new road it should have a **MINIMUM CART WAY OF 24 FEET AND A SHOULDER WIDTH OF 6 FEET.** (Pg 81)

Attachment 2, pg 6

Mr. Gourley testified that the operation would operate with 30 trucks a day.
(Pg 83/84)

Mr. Gourley admitted that he did not do any PennDOT studies or any highway federal government highway studies. (Pg 84)

Mr. Gourley testified that there would be ADDITIONAL MAINTENANCE TRUCKS, FUELING TRUCKS. (Pg 85)

Mr. Gourley testified there WOULD BE CRUSHERS AND SIFTERS THAT WOULD have maintenance. (Pg 85)

Mr. Gourley testified there WOULD BE BULLDOZERS AND BACKHOES ON the site. (Pg 86)

Mr. Gourley testified that in addition to roughly 30 trucks there WOULD ALSO BE EMPLOYEES on the site depending on market conditions. (Pg 87)

Mr. Gourley testified that this would be a retail SITE THAT WOULD BE OPEN TO THE PUBLIC that would pick up sand and gravel. (Pg 87)

Mr. Gourley testified that a local gas company could potentially SEND (50) FIFTY TRUCKS a day to the site. (Pg 87)

Mr. Gourley testified that the road was only 16 feet wide and at other locations 18 feet wide. (Pg 95)

Mr. Gourley testified that there were NO SIDEWALKS FOR PEDESTRIAN TRAFFIC. (Pg 96)

Mr. Gourley testified you shouldn't have pedestrian traffic on the berm. (Pg 96)

Mr. Gourley testified that the truck drivers would have to adjust for the people on bikes, people walking, and people on the road. (Pg 96)

Mr. Gourley testified there was no other outlet on Wildwood road for the residents, in the event that there was a problem with the road. (Pg 110)

Attachment 2, pg 7

Mr. Gourley testified that it would take 5 to 10 minutes to fill a truck. (Pg 144)

Michael Austin, President of Austin Excavating and Paving testified that he would **USE A TRUCK TO TAKE HIS EQUIPMENT OUT** of the site for a repair in Waverly, NY. (Pg 167/168)

Michael Austin testified that when he brings his large equipment in on **A LOW-BOY IT CAN BE UP TO** 80,000 pounds. (Pg 181)

Michael Austin testified that you could see truck **YEAR ROUND OPERATING OUT OF THE GRAVEL PIT.** (Pg 181/182)

Michael Austin testified that his water truck **WOULD NOT BE DOING ANY MUD OR DUST CONTROL** on the Township Road. (Pg 178)

Mr. Gourley testified that DEP will not regulate the number of vehicles using the road. (Pg 104)

Mr. Gourley testified that the DEP will not regulate the hours of operation. (Pg 105)

LAKE RANDALL TESTIFIED that the Traffic will be increased in the area and will create **DANGEROUS CONDITIONS** on Wildwood Road and the intersection for the truck traffic, vehicular traffic, and the pedestrians. The heavy truck traffic from the gravel mine will **FURTHER DAMAGE AN INADEQUATE ROAD.**

Mr. Randall's report and testimony covered the existing road condition and its inadequacy, the projected traffic volume and peak hour traffic, the alternate access routes, which indicated that Wildwood Road and the intersection at DeSisti's trailer court represent a serious traffic hazard which would only be compounded by the **HEAVY TRAFFIC** from a gravel mine and processing center. Lake Randall, Engineer for the Protestant's testified that the application was **INCOMPLETE WITHOUT A TRAFFIC STUDY.** (Pg 195) The Protestants through their expert Lake Randall, presented evidence that there was a **HIGH PROBABILITY THAT THERE WOULD BE DEFINITE HARM** to the residents and it would be detrimental to the traffic and road conditions of the neighborhood. (Pg 538-539)

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Lake Randall, Engineer for the Protestant's testified that in order to prepare his report conducted **FIELD VISITS, MEASUREMENTS, OBSERVATIONS, A BROAD RANGE OF INVESTIGATIONS AND STUDIES** with various state and federal agencies and related environmental publications and documents necessary to provide good resources for looking at the existing conditions of both the site and the proposed use he examined the Wildwood road and the adjoining access roads and interviewed the residents, and Township documents relating to the road. Reviewed and took videos of road traffic, dust and noise. (Pg 192)

Lake Randall, Engineer for the Protestant's testified that the **CHARACTER AND QUALITY OF LIFE** for the residents in the Wildwood community is going to be significantly **CHANGED BY THE TRAFFIC**. (Pg 212)

Lake Randall, Engineer for the Protestant's testified this type of **PROJECT WARRANTS A REAL TRANSPORTATION STUDY**. The road is 16 feet wide, some area of 18 feet but predominately it is pretty narrow. (Pg 233)

Lake Randall, Engineer for the Protestant's testified there is an **IRREGULAR INTERSECTION, A BAD INTERSECTION**, you don't put traffic through there an increase of traffic without improvements. (Pg 234)

Lake Randall, Engineer for the Protestant's testified this intersection is completely **INCAPABLE OF MANAGING COMMERCIAL** traffic in a safe and adequate manner. (Pg 234)

Lake Randall, Engineer for the Protestant's testified that according to the Federal Highway Administration ITE Trip generation manual there is over **300 VEHICLE** trips per day for this kind of use. (Pg 234)

Lake Randall, Engineer for the Protestant's testified that the applicant testified to 30 trucks a day to haul the sand and gravel, however they did not say how many **EMPLOYEES, VENDORS, and MAINTENANCE** would be entering the gravel pit. (Pg 234)

Lake Randall, Engineer for the Protestant's testified that there is **NO REAL TRAFFIC STUDY** showing the **INTERMINGLING OF MINE TRAFFIC WITH THE OTHER TRAFFIC IN THE AREA**. (Pg 235/236)

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Lake Randall, Engineer for the Protestant's testified that this street is a minor collector's street which required a minor cart width of 24 FEET WITH 6 FOOT SHOULDERS, with a total width of 36 FEET wider than the 33 foot right of way. (Pg 236)

Lake Randall, Engineer for the Protestant's testified that the best width of the road way is 20 width with shoulders and there are numerous sight distance constraints, not just due to vegetation, due to curves, both vertical and horizontal. (Pg 236)

Lake Randall, Engineer for the Protestant's testified that the WEIGHT LIMIT EXCEEDS POSTED weight limit. (Pg 236)

Lake Randall, Engineer for the Protestant's testified that the TOWNSHIP'S 2008 WEIGHT LIMIT STUDY states that the road is ONLY SUITABLE FOR RESIDENTIAL AND AGRICULTURAL TRAFFIC and is not recommended for commercial traffic. (Pg 237)

LAKE RANDALL, ENGINEER FOR THE PROTESTANT'S TESTIFIED THAT THE TOWNSHIP'S WEIGHT LIMIT study indicated 25 TONS and he referred to a paragraph where it essentially says that these SECONDARY ROAD ARE ADEQUATE FOR LOCAL AGRICULTURE USE AND RESIDENTIAL USE, but are clearly inadequate for commercial traffic. (Pg 325)

Lake Randall, Engineer for the Protestant's testified and showed a video heading west on Wildwood and it gives you a real sense of the width of the ROAD, OBSTRUCTIONS, CONSTRICTIONS, SIGHT DISTANCES LIMITATIONS, horizontally, vertically and you'll see some interesting interactions with the vehicles as we approach the intersection. (Pg 238)

Lake Randall, Engineer for the Protestant's testified and showed a video of a loader in front of a truck and the truck is predominately in the wrong lane. (Pg 239/240)

Lake Randall, Engineer for the Protestant's testified that he would describe the road as an AVERAGE OF 16 FEET PAVED CART WAY. (Pg 291)

Lake Randall, Engineer for the Protestant's testified that concerning whether the road was IMPASSABLE THAT BASED ON THE WIDTH OF THE

Attachment 2, Pg 10

TRUCKS AND THE EXISTING GEOMETRY that it's difficult for TWO-WAY TRAFFIC to navigate that road, especially with loaded trucks. (Pg 293)

Lake Randall, Engineer for the Protestant's testified that passage largely and anytime you have a road with NO OUTLET THERE IS A CONCERN FOR EMERGENCY SERVICES. Any accidents or blockages eliminates those services. (Pg 294)

Lake Randall, Engineer for the Protestant's testified that Austin's 30 TRIPS A DAY DOES not PASS THE LOGIC TEST. The Porter Mine of a similar size in operation has many more than 30 trips a day. If you had 30 trips a day, how could you have a financially solvent mine operation? (Pg 295)

Lake Randall, Engineer for the Protestant's testified that THE APPLICANT DOES NOT PROVIDE ANY REAL DATA as to their number of vehicles in order to test the traffic safety. The road is not safe because of the geometry of the road, the average daily traffic, and peak hour traffic.

Lake Randall, Engineer for the Protestant's testified that he was concerned that 20 years from now when the aggregate (sand and gravel), runs out like the Porter Mine and you have 61 acres open, will the applicant convert those open acres to a mining process facility like Porters with Porters' traffic? (Pg 296, 297)

Lake Randall, Engineer for the Protestant's testified that he based his assumptions in utilizing the trip general summary and HIS 28 YEARS' experience of doing several thousand projects. "I've done hundreds of traffic duties in similar projects and note the numbers and types and the uses and we've been through them all." (Pg 297/298)

Lake Randall, Engineer for the Protestant's testified that he has experience with traffic and transportation issues similar to the Austin mine. We have done a traffic impact studies for probably over a 100 in my career, many related to commercial projects. THE STUDIES GO THROUGH AND RECEIVE PENNDOT APPROVAL. (Pg 308)

Lake Randall, Engineer for the Protestant's testified that he utilized the ITE generation because a lot of mines are defined in the ITE evaluation. His firm has plenty of EXPERTISE when it comes to TRAFFIC PLANNING STUDIES, MITIGATING IMPACTS, ASSURING PUBLIC SAFETY, and they all

Attachment 2,
Pg 11

embody the same principals. (Pg 308/309)

Lake Randall, Engineer for the Protestant's testified that Mr. Gourley testimony of only **30 TRIPS A DAY DOES NOT PASS** the logic test for the appropriate trips and therefore a real study needs to be done by the applicant to demonstrate what it is. (Pg 308/309)

Lake Randall, Engineer for the Protestant's testified that that he believes that the gravel mine is addressed in the **STUDY** for the road and they're saying the **ROAD IS INADEQUATE**. That's why they posted it to 25 tons. (Pg 326)

Lake Randall, Engineer for the Protestant's testified that when you take a narrow road mixing **COMMERCIAL AND PEDESTRIAN AND RESIDENTIAL TRAFFIC, YOU** are just asking for trouble. It does not meet standard, as I testified before the Township's own Land Development Ordinance requires a minimum 24 foot road with shoulders. (Pgs. 328)

Lake Randall, Engineer for the Protestant's testified that you can't put up a do not walk here sign. You can, but that doesn't mean they will stop. So it's designated as a **TRAIL SYSTEM NOW**. People use it. They are going to continue to use it in some fashion. It needs to be included in traffic study and managed right now. I think it's unsafe. (Pg 328)

Dr. Mary Sue Rose has lived in Wildwood since 1977 a period of 37 years, I have walked Wildwood Road on an ongoing basis since that time, as my job and other obligations have allowed. I have generally felt comfortable doing so, as the traffic on the road has allowed me the space to stay safe. (Page 331)

Dr. Mary Sue Rose states she is very concerned over the impact that truck traffic will have on the **ROAD, AND MINING ON THE DUST WHICH WILL ALSO AFFECT WALKING**. (Page 331)

Dr. Mary Sue Rose states she is not aware of any provision for the gravel mine trucks to be cleaned prior to exiting the gravel pit which will result in additional dirt and mud on the Township Road. (Page 332)

Dr. Mary Sue Rose states that previously, while she was working full time, my walks were limited to late afternoon during the school year and summers with weather permitting. Now that she retired, and have the personal goal of walking daily and the time to do that, she fears that the truck traffic and width of the road

Attachment 2, pg 12

puts me in a **DANGEROUS POSITION**. The shoulder of the road does not always afford the opportunity to move quickly to safety. (Page 332)

Sue Williams testified that she has lived in Wildwood for 25 years and is concerned about exposing **28 FAMILIES TO 13 HOURS A DAY OF MULTIPLE TRUCK TRIPS** on a narrow, dead end, poorly constructed road. (Pg 335/336)

Sue Williams testified that she was concerned that **NO ONE KNOWS WHETHER THE ROAD** will be able to **WITHSTAND TRUCK TRAFFIC BECAUSE THERE IS NO TRAFFIC STUDY**. (Pg 356)

Sue Williams testified that **MR. GOURLEY'S RESPONSE TO THE PEDESTRIANS AND CYCLISTS SAFETY WAS THERE SHOULD BE NO PEDESTRIANS**. There was no traffic study by the applicant to address the safety of the pedestrians. (Pg 357)

Sue Williams testified that if this project is approved, the road is going to be a state of **CONSTANT DISREPAIR**. (Pg 358)

Robin Smith, a 28 year Wildwood area resident, Athens Township secretary since 1999 and former Athens Township Supervisor, testified that she lives at 252 Winding River Drive and has to drive on Wildwood Drive past the proposed gravel mine to reach her residence on the Susquehanna River (Pg 371)

Robin Smith, a 28 year Wildwood area resident, Athens Township secretary since 1999 and former Athens Township Supervisor, testified that people **ENJOY** the wetland, known as the **SWAMP**, located on Wildwood Road, adjacent to the **ROAD FOR FISHING**. The road is not wide enough to pull your car off the road and onto the shoulders. People are close to the edge of the road when they are fishing. (Pg 368/369)

Robin Smith, a 28 year Wildwood area resident, Athens Township secretary since 1999 and former Athens Township Supervisor, testified that people on **BICYCLES RIDE** down to the wetlands and trucks would not be able to stop for them. (Pg 368)

Robin Smith, who has lived there since December of 1987, described Wildwood Road as a **DEAD END ROAD THAT IF IT BECOMES IMPASSABLE**, would be difficult to get out. (Pg 370)

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Robin Smith, a 28 year Wildwood area resident, Athens Township secretary since 1999 and former Athens Township Supervisor, described the area as low with wetlands that is very narrow and has pipes under the roads that could be **CRUSHED EASILY UNDER THE WEIGHT OF GRAVEL TRUCKS.** (Pg 370)

Robin Smith, a 28 year Wildwood area resident, Athens Township secretary since 1999 and former Athens Township Supervisor, described that the entire road **IS CRACKED AND CRUMPLING** in many places. This road cannot handle the traffic generated by this mine. (Pg 370)

Robin Smith, a 28 year Wildwood area resident, Athens Township secretary since 1999 and former Athens Township Supervisor, testified that PennDOT originally owned Wildwood Road State, known as Route 1062, and **WERE PREPARING TO POST IN WITH A 10 TON WEIGHT LIMIT.** (Pg 372)

Robin Smith, a 28 year Wildwood area resident, Athens Township secretary since 1999 and former Athens Township Supervisor, testified that **IN 2008 A POSTING AND BONDING STUDY** was complete by Municipal Solutions but **NO TESTS WERE DONE TO DETERMINE TO ROAD BASE COMPOSITION.** Just a drive over with the Road Master, which resulted in a weight limit of 25 tons. (Pg 373)

Robin Smith, a 28 year Wildwood area resident, Athens Township secretary since 1999 and former Athens Township Supervisor, testified that a bond for this 8/10ths of a mile of the road would be approximately **\$10,000 FOR REPAIRS.** (Pg 373)

Robin Smith, a 28 year Wildwood area resident, Athens Township secretary since 1999 and former Athens Township Supervisor, testified that the road was acceptable for residential and agricultural use, but not for commercial use (Pg 373)

Robin Smith, a 28 year Wildwood area resident, Athens Township secretary since 1999 and former Athens Township Supervisor, **TESTIFIED THAT THERE WERE 13 ACCIDENTS** on Wildwood Road. That it is too narrow in many places for 2 dump trucks to pass and it's wide enough for 2 cars to pass. In the winter, it becomes even narrower if there are snow banks on the edge. (Pg 374)

Robin Smith, a 28 year Wildwood area resident, Athens Township secretary since 1999 and former Athens Township Supervisor, **TESTIFIED THE 13**

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ACCIDENTS: We had 1.) Mike Roberts went into the swamp. 2.) Courtney Butler went into the swamp. 3.) Don McCutcheon with into a telephone pole. 4.) I, Robin Smith, myself got caught in the swamp area and the back axle of my car was broken. 5.) One truck with two occupants went into the field across from Campbell's residence. 6.) My son, Kevin, was run off the road at the crest of the hill by Geiger's and Campbell's right above the mine entrance and went into a pole. 7.) Ed and Marion Campbell were forced off the road by a Simmons' vehicle. 8.) A newspaper delivery person went into the swamp. 9.) One car went off the bank. 10.) My other son was forced off the road into the swamp. 11.) We had a car in the swamp with a police officer trying to extricate the driver. 12.) We had a car go off the steep embankment west of the swamp area and 13.) One car went into the guardrails of the intersection by the trailer park. (Pg 375)

Robin Smith, a 28 year Wildwood area resident, Athens Township secretary since 1999 and former Athens Township Supervisor, testified that she had traffic concerns about the swamp, which a very popular fishing spot. People park cars in the edge of the road, the shoulders are not wide enough. They set up their **LAWN CHAIRS AND STAND ON** the edge of the road, and some people come in their wheelchairs. It is **VERY DANGEROUS FOR JUST NORMAL CAR TRAFFIC**. See photographs (Pg 376)

Robin Smith, a 28 year Wildwood area resident, Athens Township secretary since 1999 and former Athens Township Supervisor, testified **THAT THE SIGHT DISTANCE AT THIS** section of the road is also terrible. You don't see people until you've crested the hill on either side. And this will only be more dangerous if loaded gravel trucks are introduced into this picture. (Pg 376)

Robin Smith, a 28 year Wildwood area resident, Athens Township secretary since 1999 and former Athens Township Supervisor, testified that there are **SEVERAL BLIND DRIVEWAYS** on the road which could put those residents in greater jeopardy by introducing trucks and other equipment (Pg 376/377)

Robin Smith, a 28 year Wildwood area resident, Athens Township secretary since 1999 and former Athens Township Supervisor, testified that the intersections where Wildwood Road begins is woefully inadequate. **THERE ARE FIVE ROADS AND A DRIVEWAY THAT INTERSECT THERE**. Cayuta Street, Thomas Avenue, Desisti Lane, Eddie Lane, a farm driveway and Wildwood Road. Sight distance is terrible from some directions. (Pg 377)

Robin Smith, a 28 year Wildwood area resident, Athens Township secretary since 1999 and former Athens Township Supervisor, testified that peak usage is at

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Guthrie (Major Medical Facility Employer) shift changes when the traffic from the Guthrie parking lot is coming and going and often becomes very confusing, not to mention dangerous. Adding 60 gravel truck trips to this intersection per day will greatly **INCREASE THE HAZARDS** we already face at this location. (Pg 377)

Robin Smith, a 28 year Wildwood area resident, Athens Township secretary since 1999 and former Athens Township Supervisor, testified about the pedestrians on the road. People are out there every day. This is a very popular place for **WALKING, JOGGING AND BICYCLING**. Adding 60 dump truck trips a day to this road will make it extremely hazardous for walkers and bicyclists. Families with strollers, people fishing, the school bus and children waiting at bus stops. (Pg 378)

Marion Campbell, testified she lives at 790 Wildwood Rd., Sayre, PA. She is 72 years old and has lived on Wildwood Road for 63 years. Her mother, Dorothy Geiger, and she have resided on the road longer than anyone else. (Pg. 402)

Marion Campbell, testified that you fear **BACKING OUT OF YOUR DRIVEWAY**. And that a truck filled with gravel would surely be able to flatten your car and you. You are afraid to meet gravel trucks on an already too **NARROW WINDING ROAD WITH STEEP EMBANKMENTS AND WATER HAZARDS ALONG THE WAY**. (Pg. 403,404)

Marion Campbell, testified that, now imagine the road you lived on was a dead end. No alternate route to escape traffic. **NO ALTERNATE ROUTE FOR LIFE SAVING EQUIPMENT** such as police, fire and ambulance service to get to you if the road became impassable because the weight of the trucks made the road cave where there are already sink holes and a questionable weight limit. (Pg 404)

Marion Campbell, testified that, my mother, Dorothy Geiger, lives next to us. Her house is below road level beside the hill I just mentioned. She will have more fumes than any of us filter into her home. She has a **BLIND DRIVEWAY** and is closest to the proposed mine entrance. If two gravel trucks or even one gravel truck and another vehicle meet on the hill beside her house the chance of one of them sliding down the embankment next to her house is a real possibility. Her home and her living room and kitchen she uses daily will be the first point of impact as they are only a matter of about 20 feet from the road. (Pg 405,406)

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Marion Campbell, testified that, to get from point A to point B on our road many times you walk, bike, run, push a carriage, carry a fish pole to fish along the road or take a camera to capture the beauty of the surroundings. My mother needs to walk the road to get from her house to mine and the same is said for me to get to her house. I know the gravel trucks will not make foot traffic a safety priority. (Pg 406)

Edward Campbell, testified he lived at 790 Wildwood Rd., Sayre, PA. He is 74 years old and has lived on Wildwood Road for 52 years. (Pg. 402)

Edward Campbell, testified that I have thought about the previous meeting and the staged picture of two trucks being able to sit on a section of the road of their choice. (Gourley Photograph) It was not convincing. A video of them passing at 35 miles an hour would have shown more of the real world. It was staged in front of my property which is the only place that would serve their purpose as it is the only spot on the road with distance enough giving the appearance of no curves, embankments, or blind spots. What you did not see on the other side of the trucks was a hill with a steep embankment dropping off into my neighbor's yard and then a blind spot leading to the proposed mine entrance. It is a dangerous area as is the rest of the road. (Pg 415,416)

Alison Ferro, a longtime Wildwood resident presented a statement that the road is barely wide enough for two vehicles let alone a vehicle and a heavy dump truck. Your proposed gravel pit along with the extra traffic that will be created from your big trucks will make it much harder for me to get the much needed sleep that I need. (She works night shift in Elmira. (Pg 418,419)

I have concentrated my presentation this evening on the safety and inadequate condition of Wildwood Road because even your Planning Commission indicated they had concerns. However, your residents will have to address their concerns about water quality and the protection of their water supply at a separate hearing before D.E.P.

However, I have highlighted some of the testimony from Lake Randall the Protestant's Engineer and Mr. Gourley's testimony for your consideration.

Lake Randall, Engineer for the Protestant's testified that a **HYDRO GEOLOGIC STUDY IS HIGHLY** important to maintaining the welfare of the wetland systems on the green way and as we all know this mine will be some 50 feet below the elevation of this wetland system. (Pg 242)

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Lake Randall, Engineer for the Protestant's testified that on all applications we do a study to provide the alternate analysis, **HYDROLOGICAL INVESTIGATION** unless these are provided the Supervisors cannot make an **INFORMED DECISION ON WHETHER THESE ARE TRUE IMPACTS.**
(Pg 259/260)

Did not present hydraulic study to show impact on 28 residential water wells?

Did not fully investigate with geological study migrations of turbid water?

The application did not mention the Carantouan Greenway. Mr. Gourley has no hydrological studies to back up his claim that mining below the water level will not drain the Carantouan property. Mr. Gourley stated "I don't believe it will," in reference to the **LOWER WATER LEVEL OF THE GRAVEL PIT DRAINING THE GREENWAY.** Mr. Gourley's application indicated under module 10 – affecting parks states not applicable.

Mr. Gourley erroneously assumes most wells are in the **140 TO 160 FOOT RANGE** when the average well is **119.8 FEET AND 3 ARE LESS THAN 25 FEET.**

Mr. Gourley's plan to fix well water pollution is **DRILL A NEW WELL** or put in a **FILTRATION SYSTEM.**

Mr. Gourley testified that the state application requires the applicant to address the impact on private water wells or water sources within **1000 FEET OF THE PROPOSED** operation. (Pg 48)

Mr. Gourley sent out **23 LETTERS** for their state mining permit application. (Pg 48/49)

Mr. Gourley testified that if the applicant pollutes a well the applicant would **DRILL A NEW WELL** or correct it with some **TYPE OF FILTRATION SYSTEM.** (Pg 53/101)

Mr. Gourley testified that the open graded gravel and sand geology will not permit the **MIGRATION OF TURBID WATER FROM THE MINE OPERATION.** (pg. 62)

Mr. Gourley testified that he did not have any geological studies to support his position that the sand would filter the turbid water at the site. (pg. 62, 63)

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Mr. Gourley testified that he DID NOT HAVE A STUDY TO DETERMINE if there would be INFILTRATION TO THE EXISTING WELLS. (Pg 63)

Mr. Gourley testified that he is unclear whether the removal of the sink holes on the site will increase the pollution to the ground water and the surrounding wells. (Pg 63/64)

Mr. Gourley testified that he DID NOT BELIEVE THERE would not be an impact to the wells because they believed they were 140-160 FEET DEEP. (Pg 100)

Mr. Gourley testified that if there was A FLOOD there MAYBE POLLUTED WATER IN THE GRAVEL PIT. (Pg 137/138)

Mr. Gourley testified that did not have a report from a hydrologist to determine the impact that this project would have on the surrounding residential wells. (Pg 163)

Michael Austin testified that he would be GREASING ALL HIS EQUIPMENT IN VEHICLES at the site ONCE A WEEK. (Pg 174)
Michael Austin testified that he would be FUELING HIS TANKS EVERY DAY at the site. (174)

Mr. Gourley testified that they did not do any hydraulic studies that the depth of the water would be maintained at any level. (Pg 70)

The residents will continue for have concerns about the dust and air quality. However, the Township has deferred that to D.E.P. as well. I note you recently purchased a roller with a cab over your concerns with the air pollution for your employees. You should be congratulated because OSHA's final rule protects workers from exposure to respirable crystalline silica. (Article attached)

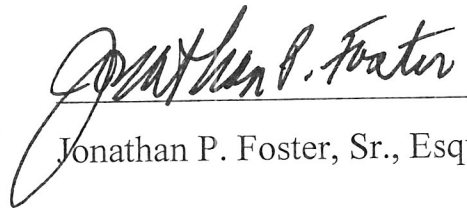
CONCLUSION:

The Board of Supervisors do not require compliance with their own ordinance in requiring the applicant to present evidence that the proposed use would not have an adverse impact on the adjoining properties. It is clear from the evidence that a gravel mining and extraction operation would not be compatible

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with the existing land uses of the adjacent tracks of ground, converting a former agricultural operation into a gravel mine is not an appropriate location for the use, the adversely affect the neighborhood, as a result of additional traffic, noise, dust, poor air quality, exhaust, odor, glare, groundwater pollution and other direct impacts that will affect the health safety and public welfare of residents within the neighborhood; the use will create a nuisance or serious hazard to vehicles or pedestrians, the economic noise, glare or odor will affect the adjoining properties. The property values of the neighboring properties will be severely degraded as a result of permitting the facility, and neighbors will be plagued by noise, glare, odor, and dust nuisances during the operation of the mine and after, as well as possible detrimental health effects, and other detrimental issues, including the environment and water quality; ingress and egress to the property and structure thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow, control and access in case of fire or other emergency.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Jonathan P. Foster". The signature is written in black ink and is positioned above a horizontal line.

Jonathan P. Foster, Sr., Esquire

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ATHENS TOWNSHIP SUPERVISORS

May 25, 2016 7 PM

Chairman Cheryl Wood-Walter called the meeting to order at 7 PM. Supervisors also present were Susan Seck, George Ballenstedt, Christine Vough, and Ronald Reagan. Solicitor John Thompson, Secretary Robin Smith, and Treasurer Ruth Casterline were also present. The Pledge of Allegiance was recited by those in attendance.

The bids for our Round Top Park Expansion Project Phase II were opened at this time. The bid from Insinger Excavating, Inc. in the amount of \$248,800 was the only bid received. The bid was reviewed by John and appeared to be in order. Richard Bean approved the board's acceptance of the bid. On motion of Ron, second by Susan, it was unanimous to award the bid to Insinger Excavating, Inc. contingent upon review and approval by both the township engineer, Skip Schneider, and DCNR.

Voice of the Residents:

Carol Carey of Clinton Street asked the Board to consider an ordinance regulating grass height in the township. She said Sayre and Athens both have this in their code. We need to be more diligent to have our residents cut their lawns. It's silly that we don't have an ordinance. Every lot with a house or structure should have to comply. Ron said the Board has looked at this many times but couldn't agree on a grass height. Cheryl added that it would be hard to enforce. You'd get a complaint and when you go out to check it, the grass would be cut. She has had different people say they are worried about their ornamental grass. Cheryl said there used to be neighborliness, and now that seems to be gone. We have gone around and around with this. Some people are lax, some are diligent. If we have just a couple of homes, is it worth the cost?

Carol Carey of Clinton Street also expressed concern with speeding on her street. She said they had the 'speed tracker' on Clinton for 2 weeks. In her opinion, it was very quiet during that time. Now it's ridiculous. People come out of Applebee's and fly up the street. If we're going to have speed limits, they need to be enforced. George said there has been some talk of writing citations instead of just sitting there as a deterrent. Cheryl said she has directed Chief Hurley to give no warnings – write the tickets! Carol said you need to crack down on this. George will speak to Larry again. Cheryl said when most people see that 'speed tracker' sign, it makes them pay attention. For others, it's a game. That sign keeps data. We'll be trying to use that data to determine peak times and trouble spots to prioritize enforcement.

Scot Saggiomo had spoken with Ron last week about our security cameras. They had been in last week to fix our existing cameras again. We are having issues with the cameras and with recording. He met with Larry, who also had some suggestions. Scot presented a quote for new HD cameras that also included 2 pan, tilt and zoom cameras, and an additional camera to show the back door and generator area. No action was taken.

Dave Steinfeld was present for the fire company. He said it has been unusually quiet lately – they had a 10-day stretch with no alarms. They are doing in-house training at the hall, and are doing ladder training. 15 firemen went to the burn tower in Binghamton for training. He expressed concern about the people being able to cut through the Dandy at the Wolcott Hollow/220 intersection and hopes this will be addressed with the signal upgrade. This will be addressed. Susan asked if they have any hoses that need to be tested, because they have some pipes clogged up in Queen Esther that have been a nightmare to try and clean out. Dave will speak to Chief Birks about assisting with that.

Richard Bean reported for the Parks and Recreation Commission. He has 5 Eagle Scout projects in the works: Zack Smith and Jeff Gao are each building 6 picnic tables; Spencer DeKay will be installing a flag pole for the American flag at Tozer's Landing; Cody Chandler has completed a trail from the circle parking lot to the lower pavilion; and Kamren Curtis will be building a trail from the new parking lot to the new picnic area. The water line work is complete at a cost of approx. \$2,800. There has been no resolution to the Mustang Carrier driver destroying the sign at Tozer's Landing. Our solicitor is handling that. We have received one quote for playground equipment for the park expansion. Jenny Wagner will be at the Park Commission meeting in July to talk about tobacco use in the parks. The Commission will be selling the trailer they purchased with the ATV. It needs some electrical work done before they sell it.

Scot Saggiomo presented the Legacy Motors land development at 2202 & 2218 Elmira Street for review and approval. Some of the deficiencies have been resolved. Dave Young, engineer for the developer explained the project. The oil and chip shown in the parking lot will be paved. They intend to close off one driveway. There will be no garbage service at the site because it will only be paper waste and the owners will take it to another one of their facilities. They also removed the vehicle prep note from the plans as this will be done at their Towanda facility. The detention pond has been moved to allow for future expansion – the township engineer is okay with the change. On motion of Ron, second by George, it was

unanimous to grant preliminary approval only, contingent upon the following deficiencies being met:

- 1) Erosion and sedimentation plan approval by BCCD, with copy to the township
- 2) PennDOT permits received for driveways, with copy to the township

Robin asked the Board if they want her to include the request for the required road study escrow (\$9,900) in the Austin letter. On motion of Cheryl, second by Christine, it was unanimous to have Robin include this request in the letter.

The Treasurer's report was reviewed. 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 in the office of the Treasurer.

Ruth's report outlined several options for direct deposit. She recommends going with Paychex with an approximate annual fee of \$2200, and said we need to start at the beginning of a quarter. She suggests October, since one week's pay will need to be held back, and that will give employees time to plan for the first October pay of one week instead of 2 weeks. A checking account is required to participate in direct deposit, but Paychex can issue a paper check if someone does not wish to have a checking account. On motion of Christine, second by Susan, it was unanimous to contract with Paychex starting with the first pay period of October, and to have the one week holdover period.

Susan said the roads are coming along. They are cleaning ditches, and the dust oil has been placed on Cole Street. They do have the issue in Queen Esther with the clogged drainage pipes. Robin asked if we could rent something to unplug them and Susan said the guys told her you can only use water. She said our water truck is out of commission (needs an axle). The little roller is working wonderful. She priced a trailer to haul it and would like to purchase a Cross Country Mfg. trailer from Snake Creek Marine in Greene, NY at a cost of \$3,475. They make drop trailers and that is what we need. On motion of Susan, second by George, it was unanimous to purchase this trailer, and to pay for it with the remaining Act 13 funds left over from the roller purchase.

Road inspection was held on Monday, May 16th, and lasted about 3 hours. Ron said they did get the results of the Liquid Fuels audit and said Ruth does a good job keeping track of things. Cheryl thanked Ruth for her work.

The revised Drug and Alcohol policy was presented for adoption by John Thompson. John asked if there were any new questions or issues. This policy meets federal law, and he recommends passage pending any other questions. Christine had invited Roger Clink to our meeting to discuss the police department issues with the policy. John said the union had already approved the contract, and said you have the same union as the public works employees, right? Roger said the union never coordinated with their department, and he didn't get a copy until last Tuesday at 2 AM. Roger went down through the policy and listed the police department concerns:

- 1) Page two designates Robin as the Designated Employee Representative (DER). He wanted to know what her duties are for that position? He also said the policy should include a definition for a DER, and their duties. Robin said Susan and George have also had the training, and the intention was to add both of them as well. She said if it is a problem with her being on the policy, she will gladly step away. It has always been Robin since she has been employed here. Christine asked John if he can work Susan and George into the policy as well.

John Thompson asked Roger if he was at the February meeting with the union and the township about this policy. He said he was, but that John wasn't there. John corrected Roger because he was in attendance at that meeting. He said the union is the police department liaison and they should have coordinated with you. Roger said he only had an old copy of the policy at that meeting – he asked John Farwell for a copy, but Susan had to make copies for them.

- 2) Roger referred to page three concerning the post accident testing and the reporting of medications they are taking that are considered “drugs that impair”. They would like to see the list of drugs you have to list. He presented 3 lists of drugs that can be tested for under the Vehicle Code. He would like to see these lists used. He said item #1 is a real sticking point with the police department.

Ron Reagan asked what the officers do to a member of the public if they pull them over and they are under the influence. Roger said they can arrest them for driving while impaired. Roger passed out copies of the 3 lists to the Board. Roger said he doesn't know what CDL federal compounds are. Robin asked if the Board would like her to get the list of what American Drug and Alcohol (AD&A) tests for. John

Thompson argued that from the township perspective, they are doing their due diligence. Christine said she took a PennDOT training that said you can't ask for a list of drugs from employees. Robin said the CDL required paperwork has a form for employees to complete if they are taking a drug that could impair them. George asked if a deer jumps out in front of him on the way to Hershey, would he have to wait for testing?

- 3) Roger would like to know what is considered "probably cause".
- 4) He also asked what the testing instructions are. John Thompson said that would be determined on a case-by-case basis. You need to contact your DER. They contact AD&A and they make the decision. It would depend on the situation. Roger would like the protocol to be known. He would like them to be defined and attached to the policy.

John asked Roger why this was not discussed with the police department in February by your union reps? The whole purpose of the meeting was so your reps and AD&A could come to a conclusion. Roger said they're not happy with the union, either. Susan said this was agreed on as written by the Board, the union, and AD&A in February. Roger said they've been talking since February. He asked what AD&A tests for and John Thompson answered that was done at the February meeting.

- 5) Roger would like copies of the panels our company tests for and would like a copy of the "second panel".
- 6) Roger said they want the HIPAA laws to be followed. Cheryl said she's okay with taking out the last sentence of #1. John Thompson said if there is an accident and a lawsuit follows, you know the other attorneys will dig to see if you have followed proper procedure and done your due diligence.

Robin asked if the Board would like her to put this out on the PSATS Discussion Group to see how other townships handle these issues. No action was taken on this policy at this time.

On motion of Ron, second by Cheryl, it was unanimous to approve Ed Reid's Floodplain Manager Certification renewal.

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Athens Township Supervisors
May 25, 2016

On motion of Ron, second by Cheryl, it was unanimous to approve Clif Cheeks and Ed Reid's attendance at the "Evolving Law of Zoning" class in Wilkes-Barre on June 14th for a fee of \$50 each, and to also pay the registration fee and mileage for the Zoning Hearing Board members and their solicitor to go if they would like to do that. Robin will send them the information.

On motion of Cheryl, second by Susan, it passed to ratify the lifting of the burning ban effective May 2, 2016. Ron Reagan voted no.

John is filing a formal complaint with Penelec regarding their proposed rate hike.

On motion of Cheryl, second by Christine, it passed to approve the minutes of April 27, 2016 as written. George abstained from the vote as he was not in attendance.

On motion of George, second by Christine, it passed to approve the minutes of May 18, 2016 as written. Cheryl abstained from the vote as she was not in attendance.

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

On motion of Susan, second by Ron, it was unanimous to have John send a letter to the Assessment Office regarding our inclusion in the resolution of all assessment appeals in the township.

Correspondence/Information was as presented in the meeting agenda.

Robin advised the Board that our documents are all digitized now, and she would like us to rent a storage container to store all hard copies of these records. Discussion was held. Christine suggested contacting the Enterprise Center as Guthrie rents space there to store some of their records. Robin will contact them and get a price.

Cheryl took the Board into executive session at 9:26 PM for pending litigation and personnel. The secretary was excused at this time & the remaining minutes were taken by Ron Reagan. The regular meeting reconvened at 10:50 PM.

On motion of Cheryl, second by Ron, it passed to have the Public Works Director hand-deliver a letter to Randy Harford. Susan voted no.

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Athens Township Supervisors
May 25, 2016

On motion of Cheryl, second by Ron, it passed to adopt the Drug and Alcohol policy as drafted for the Department of Public Works CDL drivers and other federally mandated employees, as the union representatives have approved the language. Christine voted no.

On motion of Christine, second by George, it was unanimous to have Attorney Thompson send a Notice of Violation to Chris Sutton.

On motion of Cheryl, second by Susan, it was unanimous to have Attorney John Thompson sue Mustang Carriers for their damage to the Tozer's Landing sign.

There being no further business, on motion of George, second by Cheryl, it was unanimous to adjourn the meeting at 10:59 PM.

Respectfully submitted,

Robin L. Smith
Secretary

ATHENS TOWNSHIP SUPERVISORS

June 15, 2016 3:30 PM

Chairman Cheryl Wood-Walter called the meeting to order at 3:30 PM. Supervisors also present were Ron Reagan, Susan Seck, George Ballenstedt and Christine Vough. Solicitor John Thompson, Secretary Robin Smith and Treasurer Ruth Casterline were also in attendance. Cheryl led us in the Pledge of Allegiance.

Only one bid was received for DSA. The bid was from Glenn O. Hawbaker. It included a bid bond for "Ten percent (10%) of total of the bid", but there were no figures, amounts or prices of any kind anywhere on the paperwork, therefore the bid was inadmissible. Discussion was held as to rebidding. We will table this until our meeting tomorrow (June 16th).

Robin presented information regarding the renting of space at the Enterprise Center for storage. There are 3 spaces available: 1) currently a closet 10' x 6'8" for \$100/month which is way too small for our needs; 2) 350 square feet at \$450/month which would work for what we need; and 3) a 38' x 25' space which had more space than we needed for \$480/month. All spaces come with heat, electric, sprinklers and security. Robin asked if they could do better on the 350 square foot space if we paid annually and they agreed to \$400/month, which is a \$600/year savings. On motion of Ron, second by Cheryl, it was unanimous to lease the 350 square foot space at \$4800/year; to hire someone to move the items to storage; to secure renter's insurance; and to pay for this out of the Act 13 funds reserved for the building.

On motion of Cheryl, second by Christine, it was unanimous to accept the "Adopt-a-Township-Road" application of K. Gary Chandler for Murphy Road, to sign the necessary documents, and to order the signs.

JB Sullivan was here to present the loan proposal from First Citizens Bank for the Round Top Park loan. John Thompson is doing the borrowing base certificate for this. C & N Bank will be submitting a proposal as well. This issue was tabled until tomorrow's meeting.

Robin had 2 applications for recycling backup attendant that she presented for consideration. Discussion was held. On motion of Cheryl, second by Ron, it was unanimous to offer the position to Ryan Reed at minimum wage.

Chairman Wood-Walter took the Board into executive session at 4:19 PM for personnel. The regular meeting reconvened at 4:30 PM. The secretary was excused and the remaining minutes were taken by Ronald Reagan.

Page Two
Athens Township Supervisors
June 15, 2016

On motion of Cheryl, second by George, it was unanimous to approve the June 1, 2016 revision of the Drug and Alcohol Policy only for the federally-mandated CDL drivers, and all drivers must sign.

On motion of Ron, second by Cheryl, it was unanimous to sign the sewer agreement.

On motion of Ron, second by Susan, it was unanimous to adjourn the meeting at 4:35 PM.

Respectfully submitted,

Robin L. Smith
Secretary

ATHENS TOWNSHIP SUPERVISORS

June 16, 2016 3:30 PM

Chairman Cheryl Wood-Walter called the meeting to order at 3:33 PM. Supervisors also present were George Ballenstedt and Susan Seck. Christine Vough was working and Ron Reagan was absent. Solicitor John Thompson and Secretary Robin Smith were also in attendance.

Kevin Dougherty of C & N Bank presented his proposal for the Round Top Park loan. He apologized for not attending yesterday. The Board will review both bank proposals and will decide at our regular meeting on June 29th.

Robin asked for direction as to how to rebid the DSA. Susan said we won't need to rebid as we will stay under the bid requirement for DSA this year.

Chairman Wood-Walter took the Board into executive session at 3:50 PM for personnel. The secretary was excused and the remaining minutes were taken by Cheryl. The regular meeting reconvened at 5 PM.

Upon motion of Susan Seck: To resolve the underlying dispute between the Public Works, Teamsters and Supervisors, the following resolution which will be non-precedential or construed as past practice, the Supervisors direct our Treasurer as follows:

- 1) To credit the following employees of the public works department either personal or vacation time in the amount of 1 hour depending upon the type of time that was charged against them for February 24th, 2016: Randy Harford, Mike Chilson, Ralph Blowers, Ray Brobst and CT Hogan.
- 2) As to Randy Harford he will be credited 3.5 hours STRAIGHT TIME (no overtime) for personal time that was deducted from his personal hours for the meeting May 18th.

This motion and resulting resolution of the dispute is to settle any further grievance process and not to be considered a past practice for any future disputes.

In total Randy Harford will only have had 1 hour deducted from his personal time.

2nd of this motion by George Ballenstedt. All in favor: 3 (Susan Seck, Cheryl Wood-Walter and George Ballenstedt). Opposed: 0

On motion of George, second by Cheryl, it was unanimous to adjourn the meeting at 5:25 PM.

Respectfully submitted,

ATHENS TOWNSHIP SUPERVISORS

June 29, 2016 7 PM

Chairman Cheryl Wood-Walter called the meeting to order at 7 PM. Supervisors also present were Ronald Reagan, Christine Vough, George Ballenstedt and Susan Seck. Attorney John Thompson, Secretary Robin Smith and Treasurer Ruth Casterline were also in attendance. Cheryl led everyone in the Pledge of Allegiance.

Voice of the Residents:

John Englebert of Nichols, NY farms the fields behind Masco. He said there are 2 sluice pipes under Road C that are washing out his field. There is no ditch on that side of the road. Cheryl said we will look it over and see what we can come up with as far as a fix.

No one was present for the Athens Township Volunteer Fire Company as they were out on an alarm.

Cheryl said she discovered that the PA tourism map has our area listed as “Upstate PA”, which includes counties down through Schuylkill County. There is no description for this region – not Endless Mountains, not Poconos. She would like to draft a letter from the Board to our representatives regarding this generic label. Ron thinks we should start with Bradford County – they wanted to do our tourism. Cheryl will draft a letter on our letterhead, and she thinks our Chambers would be interested to know this, too.

Richard Bean reported for the Parks and Recreation Commission. Zack Smith is building 6 picnic tables and placing a sign at the gate parking lot showing the trail to the pond (as his Eagle Scout project). Spencer DeKay will be installing a flag pole for the American flag at Tozer’s Landing. Jeff Gao has completed building 6 picnic tables. Kamren Curtis will be building a trail from the new parking lot to the new picnic area. He presented his project and the Park Commission approved it. We have just received the ‘go-ahead’ from DCNR for the Round Top Park Expansion Project Phase II. On motion of Cheryl, second by George, it was unanimous to ratify the construction contract with Insinger Excavating for this project. Richard asked the solicitor what the status of the Mustang Carrier’s complaint was. John said he has a complaint prepared but wanted to get approval from the Board before he filed it. Ron said the Board made a motion to “sue” on May 25th. John will file the complaint. Jenny Wagner will be at the next Parks meeting to discuss tobacco use in our parks. The Parks Commission will be putting the trailer they purchased with the ATV out for bid.

The loan proposals were reviewed at this time. Ron would like to see us hire an engineering firm to tell us what to do with all our roads and how much it will cost. He said we have dirt roads where we have made deep ditches and the water runs down the middle of the road. George likes the road survey idea. Cheryl said we need to do that. Ron said we've never had it done. We could possibly hire out some of the work. Discussion was held. On motion of Christine, second by Ron, it was unanimous to go with First Citizens Community Bank Option 1 to only be used as matching funds for the DCNR grant for Round Top Park for an amount up to \$250,000; and to pay the costs and expenses of the issuance.

The Joann Souder subdivision on Braddock Road had been recommended for approval by Planning Commission with contingencies. Since this action by Planning Commission started the 90-day clock in motion, and the contingencies have not been met, action needs to be taken on this subdivision. On motion of Ron, second by Cheryl, it was unanimous to disapprove this subdivision.

On motion of Christine, second by Susan, it was unanimous to approve the payment of the monthly bills. A complete listing of revenues and expenditures is on file in the office of the Treasurer. Ruth had spoken with Paychex regarding direct deposit and they need Cheryl to sign the service agreement. They can be available tomorrow or Friday for this. Ruth made arrangements with Cheryl to come in and sign tomorrow.

Susan reported that the road crew has been busy grading roads and doing dust control.

Robin advised the Board that Naglee Moving & Storage, Inc. of Elmira would be moving our files to the Enterprise Center for a cost of \$693.00 on July 5th.

On motion of Cheryl, second by George, it was unanimous to approve Norton Lane as the name for the new private drive off Meadowlark Drive.

On motion of Susan, second by Ron, it was unanimous to have George attend the August 8th seminar on "Front Desk Safety and Security" in Binghamton at a cost of \$149.00.

On motion of Ron, second by Susan, it was unanimous to have Cheryl sign the letter to Gutelius.

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On motion of Christine, second by Cheryl, it was unanimous to have Robin run an ad for recycling back-up attendants.

On motion of Cheryl, second by Christine, it was unanimous to approve the minutes of May 25th and June 15, 2016 as written.

On motion of Cheryl, second by Susan, it passed to approve the minutes of June 16, 2016, with Ron and Christine abstaining as they were not in attendance.

Robin presented the junkyard inspection reports from Ed Reid. They will be reviewed later.

Correspondence/Information was as listed in the meeting agenda.

Chairman Wood-Walter took the Board into executive session at 8:10 PM for pending litigation. The secretary was excused and the remaining minutes were taken by George Ballenstedt. The regular meeting reconvened at 9:06 PM.

On motion of George, second by Christine, it was unanimous to have Attorney Thompson send a letter to Suttys regarding the nice job on Mile Lane and need to remove junk vehicles on Braddock Road.

Additional motions are regular business.

On motion of Ron, second by Susan, it was unanimous to accept the Teledair proposal to upgrade the township camera system in the amount of \$7949.

On motion of Ron, second by Cheryl, it passed to have John Thompson send a letter to Mike Austin to get funds in escrow for Wildwood Road road inspection/analysis. Christine voted no.

On motion of Susan, second by George, it was unanimous to have John Thompson generate a Hold Harmless form for potential township volunteers.

There being no further business, on motion of Ron, second by George, it was unanimous to adjourn the meeting at 9:15 PM.

Respectfully submitted,

ATHENS TOWNSHIP SUPERVISORS

July 27, 2016 7:00 PM

Chairman Cheryl Wood-Walter called the meeting to order at 7 PM. Supervisors also present were Susan Seck, George Ballenstedt, and Christine Vough. Ronald Reagan was absent. Solicitor John Thompson, Secretary Robin Smith and Treasurer Ruth Casterline were also in attendance. Cheryl led everyone in the Pledge of Allegiance.

Voice of the Residents: None

No one was present from the Athens Township Volunteer Fire Company.

Cheryl said PennDOT has the signs up for the 220/199/Wolcott Hollow Road project and will be starting. She asked the press to remind everyone to pay close attention when driving in that area because the traffic patterns will be changing.

The Treasurer's report was moved to the end of the meeting as Ruth requested an executive session.

Richard Bean was out of town and unable to be here, but he gave his Park Commission report to Robin to present to the Board. The Eagle Scout projects are moving along, and Jeff Gao's is complete. Insinger Excavating is planning to start Phase II of the Round Top Park Expansion Project next week. The required bonds were hand-delivered to Robin on Monday. They are hoping for a November 24th completion date. The court date of August 15th for the Mustang Carrier suit has been continued. Jenny Wagner, coordinator for Young Lungs At Play, gave the Parks Commission a Power Point presentation concerning the dangers of second hand smoke and why we should make our parks smokeless. The Commission then decided to make our parks smokeless in 2017. Information packets were given to the Board. The Board will review for our August meeting. The utility trailer needed to be put out to bid, but when Robin priced the legal notice, it was \$150 to run – which is almost half of what they're asking for the trailer (\$350). Robin pulled Resolution 2013-09 which describes our policy for the disposal of property under \$1000. This requires approval from the Chairman. Richard has requested we use a "Flash Ad" in the Morning Times. On motion of Cheryl, second by Susan, it was unanimous to have Robin run a "Flash Ad" for the sale of the trailer. They will be purchasing grass carp in September for the park pond to help keep the pond clean.

Susan gave her road report. The guys have been busy grading, ditching and widening some of the roads (Shepard Road, Round Top Road and Pennsylvania Avenue). They have done some tar and chipping and are starting to prepare for

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winter. Cheryl told Susan that Aaron Brotzman had called about washboarding on Weaver Road. He said they did a good job, but it's starting to washboard now.

Robin presented the revised security camera bid from Teledair. Christine asked if the office and the police department will be on separate systems, and they will. On motion of George, second by Susan, it was unanimous to accept the revised bid for the security camera upgrade project in the amount of \$9,999.99.

On motion of Christine, second by Susan, it was unanimous to adopt RESOLUTION 2016-08 to participate in the County's 'umbrella' bridge inspection program.

On motion of George, second by Cheryl, it was unanimous to adopt RESOLUTION 2016-09 adopting the revised Western Bradford COG by-laws.

On motion of George, second by Cheryl, it was unanimous to approve the June 29, 2016 minutes as written.

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

George advised the Board that the old police vehicle is up getting all the equipment transferred into the new vehicle, which should be here soon. He said Denny, Tom and Jason will be attending a SWAT class in October. Sayre is sending officers as well. He also said Larry wants to buy 3 tactical vests with removable plates that will cost about \$15,000. He said he has a Walmart grant and will use PBA money, but is still about \$5,000 short. Larry would like the Board to approve \$5,000 from the Act 13 money. The board will discuss this again at the August 31st meeting.

George also said since we're going to be in this building for a while, he would like to see us invest in a ceiling projector and screen with some of our Act 13 money. He will get information on that for our next meeting.

Correspondence/Information was as listed in the meeting agenda.

Chairman Wood-Walter took the Board into executive session for personnel and litigation at 7:26 PM. The secretary was excused at this time and the remaining minutes were taken by George Ballenstedt. The regular meeting reconvened at 9:13 PM.

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On motion of George, second by Cheryl, 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.

On motion of Cheryl, second by Susan, it was unanimous to have John Thompson prepare a response to the PUC letter option 1 regarding the First Energy/Penelec rate increase.

On motion of Cheryl, second by Christine, it was unanimous to hire Edward Solomon as a backup recycling attendant upon receipt of all his necessary paperwork at a rate of \$7.25/hour. The Board is also in agreement to allow "Mark", disabled 22 year old, to submit an application for backup recycling attendant.

On motion of Cheryl, second by Susan, it was unanimous to allow John Thompson to respond as appropriate to July 1, 2016 Gutelius lawsuit naming Athens Township as a defendant regarding the Road C issue.

On motion of George, second by Cheryl, it was unanimous to have John Thompson file "Lis Pendens" for the Glenn Aikens violation of Zoning Hearing Board Variance Approval regarding his Lake Macham property.

Action to research old loans on borrowing base? Ruth/Robin. What are the small loans. Are they still active.

There being no further business, the meeting ended at 9:15 PM.

Respectfully submitted,

Robin L. Smith
Secretary

ATHENS TOWNSHIP SUPERVISORS

August 15, 2016 11:00 AM

Vice Chairman, Ron Reagan called the meeting to order at 11:10 AM. Supervisors also present were George Ballenstedt, Christine Vough and Susan Seck. Secretary Robin Smith was also in attendance. Cheryl Wood-Walter was out of town.

On motion of George, second by Susan, it was unanimous to sign the Borrowing Base Certificate as prepared by Solicitor John Thompson. Robin will get it to JB Sullivan so he can start the loan proceedings for the Round Top Park project.

On motion of Christine, second by George, it was unanimous to approve the Teledair invoice in the amount of \$10,424.99 for the surveillance camera upgrades.

Discussion was held as to what to do with the old Tahoe (304) that was just replaced. Chief Birks had expressed an interest in it for the fire department, but Keith had said he didn't think that was quite what they're looking for. It had also been suggested that we keep it as a back-up vehicle for township use. Susan can use it for her work vehicle, too. On motion of Ron, second by George, it was unanimous to keep the Tahoe for township use and Susan's work vehicle.

Susan advised the Board that Truck 1 (the 2006 Ford F-250 pickup truck) needs to be retired immediately. They have had it to 4 different repair shops and no one can seem to find the problem. Susan got COSTARS pricing on a 2016 Ford F-250 for just under \$35,000, and it includes a plow. Discussion was held. On motion of George, second by Ron, it was unanimous to purchase the 2016 Ford F-250 with a plow through COSTARS, for a price not to exceed \$35,000 – and to pay for it from the fifth check of Act 13 funds.

George had attended a Fred Pryor class in Binghamton on Front Desk Security. At that class they offered a class package for \$199, which would allow him to attend any other classes they offer (unlimited) for 12 months with no additional per-class fees. This would also include webinars. On motion of Susan, second by Christine, it was unanimous to purchase this and to pay for it out of our Meetings & Conferences budget line.

Susan asked where we were with the crosswalk on Elmira Street, because it needs to be repainted if it is not going to be removed. Robin said Cheryl was going to call the Transportation Director at the school to see if the bus would be stopping on Elmira Street to pick up the children from Mountain View Apartments instead of having them cross Elmira Street. Susan said she would call the school and find out.

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Susan had gotten some prices on crack-filling King Road, and had a ballpark figure of \$4,000-\$5,000. To slurry seal it would be approx. \$37,000, but it would have to be crack-filled before they could put the slurry seal down. We also need to get someone to do core bores to determine the cause of the cracking, and specifically to see if there is a failure of the subbase in Phase I. Discussion was held. On motion of Ron, second by George, it was unanimous to have Vestal Asphalt crack-fill King Road in its entirety; crack-fill Queen Esther Drive from King Road to Laurel Lane; contact PennDOT to see how many core bores they recommend, and where to do them; and to pay for all this from the fifth check of Act 13 funds.

There being no further business, on motion of Ron, second by George, it was unanimous to adjourn the meeting at 12:20 PM.

Respectfully submitted,

Robin L. Smith, Secretary

ATHENS TOWNSHIP SUPERVISORS

August 31, 2016 11 AM

Thomas Avenue Bridge meeting

Chairman Cheryl Wood-Walter called the meeting to order at 11 AM. Supervisors also present were Ronald Reagan, Christine Vough, George Ballenstedt and Susan Seck. Secretary Robin Smith was also in attendance. A sign-in sheet is included with these minutes.

Lloyd Ayres, District Bridge Engineer for PennDOT District 3 gave an overview of the last several weeks and what led to this meeting. Kara Russell from Central Office, Harrisburg met with the Diahoga Trail group about the possibility/feasibility of them taking responsibility for the Thomas Avenue bridge that is scheduled to be replaced. The bridge is on the National Historic Register. The options at the start of this process several years ago was establishing the needs to determine if the bridge should be repaired or replaced. The bridge needs to be wider to accommodate two lanes of traffic with sidewalks to allow for pedestrians (the bridge is currently "Pedestrian Prohibited"). It needs to accommodate all the truck traffic and the sheer volume of traffic that exists at this location.

Because of its historical significance it was necessary to see if repairing the bridge would meet the needs of the community. It would be very difficult to rehab it. As part of the process required by the PHMC (Pennsylvania Historic and Museum Commission) is to exhaust all avenues. The meeting weeks ago was part of that process. They were aware of the trail, but not all the details. Kara was at that meeting for PennDOT. The trail group is loosely organized and has no funding available for the bridge, and they have no preliminary plans or funding sources for extending their trail over the bridge into Athens Township.

Lloyd said someone has to own the bridge and asked if we have any potential owners. The list of possibilities included the trail group, township, PennDOT, Sayre Borough, Bradford County, and DCNR. PennDOT can't own a bridge for a trail – only highway bridges. If no one accepts ownership, we need to keep moving forward. There was a lot of mixed communication at the last meeting. This project will not stay idle – it will move forward. If it is feasible, they need to explore this, and explore alternatives to the design and location.

Robin asked Scott Shimko and John Glushefski of Borton Lawson – our design engineers for the project – if sidewalks would be incorporated on the new bridge and they will be.

Cheryl asked if no owner comes forward and you get clearance for the new bridge, what happens to the old bridge? Who would the maintenance and liability

responsibility fall to? Lloyd said the owning entity would be responsible and the bridge would remain on the Register. The Entity would also have to have any maintenance approved by several agencies. The historical value becomes that owner's responsibility. The loadings would be much less if it were a trail bridge.

Ron asked if someone takes over the bridge, can we require them to have liability insurance in case it damages the new bridge or something else? Is there money available if we have to realign our bridge – or have to purchase right-of-way (ROW).

Dave Jarrett, Sayre Borough Manager, had two concerns. He is concerned about the Borough having to relocate their pump station for a realignment. They are ready to sign the contract for that right now. They can't get parts for their current pump station. He also said they have a \$350,000 grant for bank stabilization of Cayuta Creek in that area which would also include some stream stabilization.

Ron said we can't get parts for the traffic signal on the bridge and don't want to go to the expense of replacing the signal. Ron asked if we don't get an owner, does that bridge disappear?

Lloyd said if there is no owner, that will be documented. They will be looking for meeting minutes to say 'yes' or 'no' – or letters confirming the same – ASAP. They would then publish this to the website, where consulting parties across the nation can give comments and PennDOT responds. It will be a 'rolling document site' that will give all the information they have gotten.

Ron asked if this could go on forever. Lloyd said once the documentation is done, if the consulting party disagrees or the PHMC, but can't come to an agreement, FHWA will step in and decide. Every time a post goes up, a new 30-day response period is triggered.

Ron asked how long we can keep our engineers on the hook? Are the funds increased as the costs go up? Lloyd said PennDOT has the same concerns. He wants to post the trail option, get the 30 day comment period on the website, and move on. Ron asked if there was money available for condemnation if we have to do a new alignment.

Lloyd said a bridge project with no historical procedure takes about 3 years. Our bridge has the historical element. Once it gets through the historical clearance, we

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will do design. They have a pretty good feel as to what the best solution should be. Lloyd said we are at least 2 years out.

John Glushefski said they have studied 7 different alternatives. The one that would impact the pump station is one of the more costly alternatives.

Ron asked how much money are we going to keep throwing at this? He would rather make a motion to close the bridge until it can be replaced before putting any more money into it.

Cheryl said it's just throwing good money after bad. The intentions are good, but we have to look at the residents and the township. There is an actual everyday impact on a small municipality. We are happy to work with Sayre and our neighboring municipalities, but we're tired. We want to get something resolved for our own residents and for safety. It's like your 15-year-old car – you replace it for safety reasons.

Ron said we appreciate just having to pay 5% for this project, but we need to move forward. It's like we're bogged down in the mud. Cheryl said 5% doesn't seem like much, but when you're talking millions of dollars.....

Ron asked when it went on the National Historic Register. Lloyd said it was already on there when the project began.

Linda Politi, Vice Chairman of Futurescapes, said the meeting they had a few weeks ago was their regular monthly meeting. Kara had contacted her and came up from Harrisburg. That was just one piece of their meeting. She handed out information on Diahoga Trail project. She said they started 5 years ago as a post-flood recovery group. This is their 5th year of the project. They have a \$241,000 grant for the trail and are ready to sign the contract with DCNR for Phase I, which will include building the trail from the Athens Bridge to Hayden Street. Phase II has not been done yet, but will take the trail to Thomas Avenue. Futurescapes has no capacity to own the bridge. The trail now is just proposed for Sayre and Athens Boroughs. They endorse keeping the bridge as a wonderful historical piece, but are not able in any way to own the bridge.

Ron said as long as we have sidewalks on the new bridge the trail would have access.

Todd Babcock, President of the Tioga Point Museum, said he would like to have us save the bridge. We have a tendency to tear things down and then regret it.

Lori Unger, Chairman of Futurescapes, said they have had a lot of success getting grants and thinks we would have success as well.

Matt Williams, Bradford County Planning Director, said DCNR has funded Phase I and Phase II is up for funding consideration. Would DCNR want to own this bridge? Lloyd said he hasn't posed that exact question yet.

Ron asked if we get a new owner, how are we guaranteed that the liability responsibility will continue if the organization "goes away"?? When we priced the cost of painting the bridge, it was well over \$100,000. We have enough bridges to take care of. We can't afford to maintain all the roads we have. He asked what the FHWA's position is. Lloyd said they oversee the process. If a dispute can't be resolved, they come in and will make the decision.

Ron asked if this funding will go away once a new President takes office in January and Lloyd said the funding is locked into the FHWA bill.

Cheryl said she can't believe PennDOT would be able to put money into a bridge that won't have vehicles on it. Lloyd said the owner could request Federal money to upgrade the bridge and make their argument. They may get funds, and may not. It could come down to State or local funds. You also don't know how much you would get – if anything.

Ron asked where we are right now. Lloyd said if we find an owner, we need to hash out the trail option. George said we would accommodate pedestrian/bike room on the bridge.

Lloyd said if we restore the bridge, do we take away the historical value of it? That is a consideration. George asked if people visit the bridge to take pictures, etc? He travels that way and it just seems like a structure that takes you from Point A to Point B. Lloyd said there are a few interest groups around the nation that relocate structures like this.

Robin asked what Lloyd would like to see at this point. Lloyd wants to know if there are any entities wanting to own this bridge.

Ron asked at what point FHWA says enough. Lloyd said they are making sure we do the clearance process. He also asked if this is a trail extension that will 'maybe' be proposed.

Susan asked if the state would take ownership and Lloyd said they can't. The crossing will be a new bridge and they can't afford multiple bridges in the same location. Ron asked what type of timetable we're looking at.

Robin said the option that affects the Sayre Borough pump station is the most expensive option and probably won't be approved. Dave Jarrett asked if the township could decommission the bridge from the Register, and they didn't think so.

Matt Williams said the trail ends at the bridge. Phase I and Phase II are all on public property. An extension crossing the bridge would be all private property.

Christine asked if there is a possibility of one person taking ownership of the bridge, leaving it there and taking responsibility for maintenance and liability. Lloyd said if it's not where it's at, they would have to obtain clearance for new, it would go into mitigation and would be marketed as part of that mitigation. It would be left in place until they let the bid.

George asked if we would be responsible for any of the ROW process and Lloyd said we would be responsible for our 5%.

Ron asked Scott and John what their thoughts are. Scott said they want to move forward. He also said he thinks we're closer to the end than the Board thinks. John said they don't have preliminary design – it's more just conceptual at this point.

Cheryl said this website looks for potential entities. Is it up to them to find the website? Lloyd said they will walk anyone through the process with the township. He said our solicitor will need to direct them (PennDOT) regarding the liability issues.

Todd said he wants us to save the bridge. He doesn't want to hold the project up, but he would like to explore options. They could try to get a grant. Ron asked if it was refurbished/reused, would it have the same lifespan of a new bridge?

Lloyd said he thinks the alternatives bridge components for saving the bridge are causing us the most angst. Ron asked if a weight limit would be imposed.

Linda asked about checking with our solicitor to see if the liability would be less for a walking bridge and we could keep it. The old Sayre walking bridge was torn down and there are regrets about that. Ron added that we have enough trouble finding enough money for our roads as it is. He said Ulster went through this when their bridge was replaced. They said anyone could have the old bridge if they had enough liability insurance to cover flood damage and especially if the new bridge was damaged by the old coming down. Their bridge was replaced.

Robin said she thinks Sayre would like to know what direction we're headed as they need to make decisions on their projects. Dave Jarrett said they will move forward with their plans as the alternative that would affect them would be the most expensive. Ron added that he would hate to see money being thrown away. Dave said they're not expanding their footprint with their project. He also said it might be possible to realign Shepard Road, too.

Christine said she thinks the right thing to do is to keep the bridge. A larger portion of people may think it should be saved and may find value in it. Her vote would be to keep the bridge.

Dave said Phase I stops at Hayden Street. Phase II takes the walking path to the bridge. He does appreciate that bridge taking the truck traffic and doesn't want trucks going through Sayre.

Cheryl said she would like to explore a collaborative effort. Matt suggested looking into forming a Regional Trail Authority in this area as we have so many groups here. Lori said if it was a trail bridge, she thinks funds would be available.

Robin asked, if we explore these options, what happens to our project?? Lloyd said if they can determine an owner, we can move forward with another alignment.

Brian Baker said the State TIP has \$2.4 million now, but the costs will go up. The bridge won't come off the TIP, but the costs will continue to increase. He has 166 municipalities to work with and has to be cautious to find money or projects can be delayed in favor of other projects. Realignment will increase the cost.

Matt asked what the potential delays would be with archeological study requirements if a realignment or land acquisition was required. This could be a big delay if anything is found.

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Dave asked how emergency service responses would be handled if the bridge is out for 9-12 months. Scott said that building a bridge next to the current one if one of the 7 alternatives.

Cheryl said there is a bridge down by Scranton that is down to just allowing pick-up trucks to cross because of the bridge condition. If we don't get this rolling, how far would this push out the bridge and the cost.

The estimated let date is January of 2018. Robin said if we were able to keep the original estimate, the bridge would already be built and in place.

Ron asked how long to get the preliminary design. John said it's usually about 3 years for design, but that can be expedited. However,....they can't do anything until an alternative is decided.

Scott said if we do it offline....Ron asked if we do it off line, what kind of delay are we looking at for eminent domain?

Robin asked what now. Lloyd said they will reach out to all entities we've discussed to see if they are interested in owning the bridge. Robin asked if they would start that process then?

Cheryl asked what do you need from us. Lloyd said he needs our intentions. He also needs to know if a trail group will be formed. PennDOT can't participate. Cheryl said can we say we're not interested but would entertain the interest of others. Lloyd said we need to talk to our solicitor. Robin asked what we need to put in our letter. Lloyd said that we are willing to sell to an entity if 'X,Y and Z' are done.

Lloyd said they will need to finalize all options.

Linda asked if, in the preliminary budget, if the repair cost of the bridge was considered and it was not. Lloyd said if the bridge was taken by a new owner and a new one was built next to it, PennDOT could propose FHWA give some funding, but that is not guaranteed.

Dave said if FHWA says no, you've lost 3 years. Lloyd said there would have to be a plan for owner/ownership. They may have to do railings, cover the deck, etc., for

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safety reasons. Too many changes make 'erase' the historical significance and it could be taken off the Register.

George said that if we knew someday, somehow, the bridge would be saved, we could start the process. Lloyd said the township could build a new bridge and leave the old, but there would be risk with that. Ron said even if we keep it, we would have to deal with the PHMC. Cheryl added that it would be a magnet for "bad behavior".

There being no further discussion, on motion of Cheryl, second by Ron, it was unanimous to adjourn the meeting at 12:45 PM.

Respectfully submitted,

Robin L. Smith
Athens Township Secretary

ATHENS TOWNSHIP SUPERVISORS
September 20, 2016 6 PM Budget Workshop

Chairman Cheryl Wood-Walter called the meeting to order at 6:05 PM. Supervisors also present were Ronald Reagan, Christine Vough, George Ballenstedt and Susan Seck. Treasurer Ruth Casterline and Secretary Robin Smith were also in attendance.

Voice of the Residents: None

Robin presented the MMO calculations for 2017. The Non-Uniform Pension contribution will be \$101,593 and the Police Pension contribution will be \$94,486.

On motion of George, second by Christine, it was unanimous to adopt RESOLUTION 2016-10 regarding gas royalty deductions.

On motion of Ron, second by George, it was unanimous to hire JRC Cleaning, Inc. to clean the township building 3 days a week, at a cost of \$135/week, and they will supply the cleaning products and equipment.

On motion of Cheryl, second by Ron, it was unanimous to respond to PennDOT's letter regarding the Thomas Avenue Bridge ownership and advise them that we do not want the bridge to remain in its location and we do not want to own this bridge. They also asked for our criteria on the bridge if someone else would step forward to assume ownership, and the letter states that the township will require that the bridge be removed from its current location prior to the new bridge being constructed in its location, with no further delay of the project schedule.

On motion of Ron, second by Cheryl, it was unanimous to choose the DocStar Silver package for 2017, and to pay for it from General Fund by October 1, 2016 in order to get the 15% discount.

On motion of Ron, second by Susan, it was unanimous to purchase the Snapper mower from Northeast ATV at a cost of \$4,262.63 to be paid for from the Act 13 fund 5th check.

Discussion was held on the possibility of establishing a Local Services Tax (LST). Ruth said Berkheimer would collect the tax at their current rate. Cheryl disagrees with this tax because people who don't earn much will really be affected by something like this. Susan said the other side is that elderly find it hard to keep their homes with the cost of property taxes. No action was taken at this time.

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September 20, 2016 Budget Workshop

The budget workshop commenced at this time. The next budget workshop was set for October 4, 2016 at 6 PM.

There being no further business, on motion of Cheryl, second by Ron, it was unanimous to adjourn the meeting at 8:40 PM.

Respectfully submitted,

Robin L. Smith
Secretary

ATHENS TOWNSHIP SUPERVISORS
September 28, 2016 7 PM

Vice Chairman Ronald Reagan called the meeting to order at 7:02 PM. Supervisors also present were Christine Vough and George Ballenstedt. Susan Seck was on vacation and Cheryl Wood-Walter was absent. Solicitor John Thompson, Secretary Robin Smith and Treasurer Ruth Casterline were also in attendance. George Ballenstedt led everyone in the Pledge of Allegiance.

The bids for 8000 tons Type AS-2 antiskid delivered to the township yard as needed were opened and were as follows:

FS Lopke	\$22.50/ton
Hanson Aggregates	\$24.90/ton
Glenn O Hawbaker	\$22.22/ton

Discussion was held. On motion of Ron, second by George, it was unanimous to table the bids until our October 4, 2016 budget workshop.

Voice of the Residents: None

David Steinfelt reported for the Athens Township Volunteer Fire Company. He presented their budget for 2017, and noted that they are requesting an increase of \$2,900 to their yearly contribution from the township. He said their equipment is getting older and they are seeing increased truck maintenance. Dave said they will be having a chicken barbecue from 11 – 2 on Saturday at C & N Bank on Elmira Street. They will also be hosting their first ever Sportsman’s Night at the firehall on October 8th. Tickets are still available.

Richard Bean reported for the Parks and Recreation Commission. Insinger has started work on Phase II of the Round Top Park Expansion project. The pavilion has been delivered and is ready for the concrete floor to be poured. The play area needs to have 16 trees removed and a tree removed from the new lower parking lot. Insinger has given us a price of \$3,000. No news from Mustang Carriers concerning the \$3,000 for the damage to the Tozer’s Landing sign. Our solicitor will take further action once the 30-day appeal timeframe has expired. Meade will be purchasing grass carp for the pond to help keep it clean. Richard met with Tri-County Electric concerning the electrical power to the lower level. Richard said we may have a change order pending on Phase II. Insinger said they did not bid pressure-treated lumber for the docks. Our engineer is working with the solicitor on this as it could cost another \$3,200. Last Saturday a tree came down across the road by the front gate. They have worked on their budget. Leprino Foods sent 3 volunteers up to Round Top to clear trails. We will be getting inmates October 17th for a couple weeks. Game

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Time is giving us a grant for \$12,000 towards the new playground equipment we are purchasing from them.

On motion of Ron, second by George, it was unanimous to adopt RESOLUTION 2016-11, to participate in Young Lungs At Play in our parks.

On motion of Christine, second by George, it was unanimous to approve, sign and execute the agreement with Tri-County Electric to supply electricity to Phase II of the Round Top Expansion project.

Clif Cheeks presented the Gerald J./Judy A. Stack 2-lot subdivision at 1422 Ridge Road for review and approval. There were 5 minor deficiencies, which were all taken care of except the sewer module. The revised maps show that the perc site for the sewer is no longer on the property. Robin said she thought we had an ordinance requiring the septic system to be located on the lot it served. Discussion was held. On motion of Ron, second by Christine, it was unanimous to grant preliminary and final plan approval to this subdivision contingent upon clarification of the septic requirement ordinance and approval and execution of the sewer module.

On motion of Ron, second by Christine, it was unanimous to reappoint Clifton Cheeks to the Planning Commission for a term to expire October 30, 2020.

The Treasurer's report was reviewed. On motion of George, second by Christine, 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.

On motion of Ron, second by George, it was unanimous to release the unused escrow funds of the Walmart Supercenter back to Walmart in the amount of \$2,811.12.

On motion of Christine, second by Ron, it was unanimous to set Trick-Or-Treat night for 2016 as October 31st from 6 – 8 PM.

On motion of Ron, second by George, it was unanimous to adopt ORDINANCE 2016-01 increasing the indebtedness of Athens Township by the issue of a General Obligation Note in the amount of \$250,000 through First Citizens Bank.

On motion of George, second by Christine, it was unanimous to submit our ballot to PSATS in favor of Michael Keller as Trustee.

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On motion of Ron, second by George, it was unanimous to scrap the old township Cub Cadet mower that we replaced with the new zero-turn mower from Northeast ATV.

On motion of George, second by Christine, it was unanimous to approve the minutes of August 31st and September 20, 2016 as written.

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

Correspondence/Information was as listed in the meeting agenda.

Vice Chairman Reagan took the Board into executive session at 7:45 PM for personnel and pending litigation. The secretary was excused at this time and the remaining minutes were taken by Ron Reagan. The regular meeting reconvened at 8:57 PM.

On motion of Ron, second by George, it was unanimous to have John Thompson send Zito Media a letter to keep poles out of our right-of-ways and provide notice of need for franchise agreement.

On motion of George, second by Ron, it was unanimous to have John Thompson sever the lease with Clarity Connect and look to renegotiate the lease.

On motion of Christine, second by Ron, it was unanimous to waive the fee for signs at Shaw's office.

On motion of Christine, second by George, it was unanimous to hire Mark Hawthorne and Michael Correll as recycling substitutes at minimum wage effective as soon as they complete their necessary paperwork for payroll.

On motion of George, second by Ron, it was unanimous to have Cindy send an enforcement notice to Chris Sutton.

There being no further business, on motion of George, second by Ron, it was unanimous to adjourn the meeting at 9:07 PM.

Respectfully submitted,

ATHENS TOWNSHIP SUPERVISORS

October 4, 2016 6 PM

Chairman Cheryl Wood-Walter called the meeting to order at 6:10 PM. Supervisors also present were Ronald Reagan, Christine Vough, George Ballenstedt and Susan Seck. Solicitor John Thompson, Secretary Robin Smith and Treasurer Ruth Casterline were also in attendance.

Voice of the Residents: None

Roger Clink was present to discuss some contract issues. He said they (members of the police department) used to always receive all their vacation days in January. Ruth started calculating it differently some time ago. Ruth said she has to go by their contract now, and they get their vacation on their anniversary date. Roger said they should get their vacation in January and if you're do for an increase in your vacation time that year, you get THAT on your anniversary date. Ruth said the contract doesn't read that way. Roger said a good part of the department doesn't agree with that.

Cheryl said the old contract was not with the Teamsters, so we have to now do things as the Teamsters contract reads. We can't just take a vote. It's a contract thing. George asked if they had talked to their union rep and Roger said no.

Roger said under the old system they would get 10 days in January. George said in reality, if you get 15 days in October, you can use them for the next year. Roger said they have been "taken out of rhythm" – he is out of vacation days but his anniversary date is in October so he will get more soon.

Ron asked how many officers have 15 years in and it is all but one or two. John Thompson said there is no ambiguity here. You may not have understood what the union negotiated for you. Cheryl said in section 1305, it uses the word "shall" concerning calculating your time at your anniversary date. Roger said that means you get your new days on your anniversary date and then get the rest of your days again on January 1st.

Ruth said prior to the Teamsters, you got your days in January. Roger said some would disagree. He said it depends on how you read it. It's not black and white. He says 'calculating' means determining the amount.

George asked can you manage your vacation over the year? Roger said they use their days in default. He said some get their days in December and then get reset in January. That doesn't happen anymore. Last year was a concern. Even Chief thought they had to use them or lose them by the end of December.

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Ruth told Roger he has 19 days carried over. Roger said those are for emergencies. George said it's still time you can take as you want. Ron asked what happens now after December and Roger said they still use their days in default.

Roger says they see it one way and we see it another way. He said he agrees that Ruthie has a defense the way it's written. It's a matter of perspective.

Roger said they also have concerns about the pay holdover. He told the Board that they may or may not know that the police department is not happy about it and wants to know if there's anything we can do about it. Ruth explained that if we have direct deposit, the bank needs to have the calculated payroll 2 days prior to deposit. Ruth also needs time to calculate it, which takes her 1-2 days. Roger asked why the employees have to sacrifice a week's pay. Robin explained that they aren't "sacrificing" a week's pay, and explained what is truly happening with this deferred week. Roger said he would appreciate it if the Board considered their requests.

Bruce Benish was present to discuss the Gerald J./Julie A. Stack waiver request to allow the septic system that services the lot they are subdividing on Ridge Road to be located on the neighboring lot. On motion of Ron, second by George, it was unanimous to grant the waiver contingent upon the recorded deed with the easement being included in the file. Christine also voted in favor. Susan and Cheryl abstained as they were absent from the September 28th meeting.

Susan said Jeanne from Paychex contacted her to say we have no contract with them and can drop our service agreement any time. She will send that in writing. John Thompson will follow up with a letter from the Board.

Our direct deposit will now be done through Citizens and Northern Bank at no cost to the township IF we open a Municipal Gold Checking account and keep a minimum \$50,000 balance in the account. We will be closing our Municipal Money Market account and depositing those funds into the Gold account. On motion of George, second by Christine, it was unanimous to complete these transactions.

On motion of Ron, second by Susan, it was unanimous to reject the bids received on September 28, 2016 for antiskid and rebid it for our October 26th meeting, stating that the material does NOT have to be PennDOT approved. Cheryl was not present for the vote.

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On motion of Ron, second by Cheryl, it was unanimous to reappoint Scot Saggiomo to the Planning Commission for a term to expire October 30, 2020.

On motion of Cheryl, second by George, it was unanimous to replace Robin's office computer with the new computer quoted by Kai Pan Consulting.

No action was taken on the notary renewal.

Susan received a quote in the amount of \$7,000 - \$8,400 for striping the 1.98 miles of King Road. The quote was from a firm in Endicott. The Board would like her to also get a quote from Hawbakkers and PennDOT. On motion of Cheryl, second by Ron, it was unanimous to approve Susan to move forward with the striping of King Road for an amount not to exceed \$8,000.

Robin said there had been a few issues at recycling lately, one being which employees can take the 5-cent recyclable cans/bottles for themselves. Discussion was held. On motion of Cheryl, second by Christine, it was unanimous that all 5-cent recyclables be put in the containers to be recycled with the other cans/bottles so that the township will receive the funds from them.

At this time we began the budget workshop.

There being no further business, on motion of Ron, second by Cheryl, the meeting adjourned at 8:57 PM.

Respectfully submitted,

Robin L. Smith
Secretary

ATHENS TOWNSHIP SUPERVISORS
October 26, 2016 7 PM

Chairman Cheryl Wood-Walter called the meeting to order at 7 PM. Supervisors also present were Susan Seck, Christine Vough and Ronald Reagan. George Ballenstedt was absent. Solicitor John Thompson and Secretary Robin Smith were also in attendance. Cheryl led everyone in the Pledge of Allegiance.

The opening of the bids commenced at this time and were as follows:

8000 Tons +/- Type AS-2 anti-skid, delivered as needed to township yard

FS Lopke Contracting	\$20.20/ton	(\$161,600)
Glenn O Hawbaker	\$22.22/ton	(\$177,760)

2006 Ford F-250 pickup truck – as is:

Doug Tappan	\$ 601
Ralph Blowers	\$1,500
Nick Ball	\$3,780

John Thompson had not yet arrived, so no action could be taken until he has reviewed the bids.

Voice of the Residents:

Ralph Blowers said something needs to be done about the police bathroom being vented into the shop garage. Robin advised him that Jim Good of Mountain Lake Electric has been in to look at this and has ordered what he will need to vent this to the outside.

No one was present for the Athens Township Volunteer Fire Company. Robin reminded everyone that their Ham and Turkey Party is scheduled for November 5th, with the doors opening at 6 PM. Cheryl would like to see a committee formed to plan the lighting of the star event this year, consisting of a few residents, some members of the fire company and the supervisors. Richard Bean said Meade Murtland and BarryBrosnan will get the star up to the park the last day of hunting season.

Richard Bean reported for the Parks and Recreation Commission. He said Insinger Excavation is working on Phase II of the Round Top Park Expansion project. The pavilion posts have been installed and the concrete pad has been poured. Barry and Richard removed about 18 trees for the playground equipment. This week Insinger is planning to install the pavilion. The playground equipment has been ordered. We have been told by our engineer, Insinger, and a member of our highway department that we have the wrong material down for road base if you are going to tar and chip it. We will have to take up 4” of base and replace it. We also want to change from tar and chip to a concrete pad for the handicap parking. This will be \$15,800 more

for the base and \$8,400 for the concrete. Susan said it wasn't anyone in our highway department that said the material is wrong. Cheryl asked (regarding this error) if we can go after the responsible party. John said he would need something in writing from both our engineer and Insinger stating that the materials utilized were insufficient for the intended purpose. Richard said when they dig it out, they will put the fill down by Weaver and Bobcat where the highway department 'dumps' their loads. Robin said that if they dig this out and you intend to go after someone for it, you'll need to take lots of pictures to show what was there. Susan said we should get some buckets of the material that can be sampled.

John Thompson said he has the confirmed judgment against Mustang Carriers for the Tozer's Landing sign. Robin said she will need a copy of the judgment for the file. Richard met with the power company and they will be running the electric under the road to the new pavilions at a cost of \$2,400. He also said Insinger did not bid pressure-treated lumber for the docks, so that will be a change order. We did get inmates October 18th for a couple of weeks. They have painted the Veterans Memorial Pavilion, cut brush on the overlooks and built a boardwalk on the trail from the lower parking lot to the new picnic area. We also received a \$5,000 memorial donation for John Minard, which will be used for one of the docks. We have not heard about a grant for Phase III yet. Barry's last day of work for the parks will be November 11th. Round Top will close on November 19th.

On motion of Ron, second by Susan, 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.

On motion of Cheryl, second by Ron, it was unanimous to approve the payment of the Daily Review invoice and the Manufacturers & Business Association invoice.

On motion of Ron, second by Susan, it was unanimous to approve Ed's PAFPM annual membership, and approve Robin and Ruth's attendance at the Quickbooks payroll class in Towanda on November 4th (\$20 each).

On motion of Cheryl, second by Ron, it was unanimous to release the Spalding Memorial Library funds for 2016.

On motion of Christine, second by Susan, it was unanimous to approve the advertisement of the proposed budget for adoption at our November 30th meeting. There will be no tax increase.

On motion of Cheryl, second by Christine, it was unanimous to adopt RESOLUTION 2016-12 designating Robin Smith as the Agent for the 2016 buyout program.

On motion of Ron, second by Cheryl, it was unanimous to approve the Maintenance Agreement Certification required for the 2016 buyout program.

Robin had received a request to have Athens Township participate in the Hometown Heroes banner project for township veterans. She just received the call today and didn't have time to do much research on it, but she did bring a copy of Sayre's brochure that gives a brief overview of their program. Concerns were raised as to how long they are up, are they replaced when weathered, who pays for them, etc. We will all do some homework on this for our November 30th meeting.

A joint meeting of all township boards was set for January 11, 2017 at 6 PM at the township building so we can all be brought up to speed on what is happening with each board.

Gary Chandler has adopted Murphy Road through our Adopt-A-Township-Road program. He and 8 others did a 3-hour cleanup on October 2nd and collected 10 bags of trash, tires, TVs, a mattress, junk, etc. The Board thanks them and appreciates their efforts!

Trick-or-Treating will be held on Monday, October 31st from 6 – 8 PM.

Ron said we had set apart \$189,000 for matching funds for the park project until the loan was approved, which it now has been. He would like to see that money put into the building fund and use part of it to pave the parking lots here at the building. He also said we have 10 officers, it's hard for the guys to work in the garage – we need to keep moving forward on a new building. No action was taken at this time.

Susan said the guys are getting ready for winter. They're working on roads, filling and widening. They've been working with the state and local road programs. Her goal is to tar and chip the hilly roads next year. Cole Street is patched and they have fixed the lawns. They will be bidding out blacktop for next year to do that. The stormwater tanks at the top of Cole Street have been pumped, as well as the ones at Pine Street. They will be taking the lids off and getting the sediment out. They are also looking into salt brine – and getting prices on materials and equipment to do that. King Road has been striped.

John Thompson reviewed the bids for the truck and the antiskid, and said they were all in order. On motion of Susan, second by Christine, it was unanimous to award the antiskid bid to FS Lopke. On motion of Ron, second by Cheryl, it was unanimous to award the truck bid to Nick Ball.

On motion of Ron, second by Cheryl, it passed to approve the minutes of September 28th, with Susan abstaining because she was absent from that meeting; and unanimous on the minutes of October 4, 2016.

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

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Correspondence/Information was as listed in the meeting agenda.

Chairman Wood-Walter took the Board into executive session at 8 PM. Secretary Robin Smith was excused at 8:20 PM. The regular meeting reconvened at 9:42 PM, and the remaining minutes were taken by Ron Reagan.

On motion of Cheryl, second by Ron, it was unanimous to terminate Reuben Page as recycling attendant effective immediately.

ON motion of Susan, second by Cheryl, it was unanimous to hire Toby Campbell for public works starting at contract rate subject to drug/alcohol testing and background clearances, with a 1-year probation period.

On motion of Susan, second by Christine, it was unanimous to have Public Works attend seminar at Beeman's for patching material.

There being no further business, on motion of Ron, second by Christine, it was unanimous to adjourn the meeting at 9:50 PM.

Respectfully submitted,

Robin L. Smith
Township Secretary

ATHENS TOWNSHIP SUPERVISORS
November 9, 2016 6:00 PM

Chairman Cheryl Wood-Walter called the meeting to order at 6:08 PM. Supervisors also present were Ronald Reagan, George Ballenstedt and Susan Seck. Solicitor John Thompson and Treasurer Ruth Casterline were also present. Christine Vough arrived at 6:47 PM.

Voice of the Residents: None

Chairman Wood-Walter took the Board into executive session at 6:09 PM for personnel. The meeting reconvened at 7:31 PM.

On motion of George, second by Cheryl, it was unanimous to have John Thompson send a letter to Chris Sutton that he has until midnight on November 30, 2016 to remove all junk vehicles, otherwise another citation will be issued.

On motion of Ron, second by Christine, it was unanimous to approve Eddie's membership in the National Association of Floodplain Managers.

On motion of Susan, second by George, it was unanimous to have Cheryl sign the contract with Bradford County Conservation District for the McKinney Hill Road Dirt and Gravel Road Program project, up to and not exceeding \$159,573.89.

There being no further business, on motion of Ron second by Cheryl, the meeting adjourned at 8:52 PM.

Respectfully submitted,

Ronald P. Reagan
Acting Secretary

ATHENS TOWNSHIP SUPERVISORS
December 28, 2016 7 PM

Chairman Cheryl Wood-Walter called the meeting to order at 7 PM, and led everyone in the Pledge of Allegiance. Supervisors also present were Susan Seck, Christine Vough and Ronald Reagan. Secretary Robin Smith and Solicitor John Thompson were also in attendance. George Ballenstedt was absent.

Voice of the Residents: None

No one was present from the Athens Township Volunteer Fire Company.

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

A check was received from Austin's for the Wildwood Road study, but it included two invoices for work done by Skip Schneider for Austin that was contracted privately. Ruth needs direction as to what should be done with this check. Robin said we shouldn't be running a private transaction through our township books. Discussion was held. On motion of Ron, second by Cheryl, it was unanimous to have John Thompson contact Mike Austin and/or his attorney and have them split our escrow out and pay their private invoices themselves, and we will hold the check 'in hand' until we receive the new escrow check.

Ruth is requesting to be able to carry over 4.75 days of vacation to 2017. Robin explained that with all the trouble with Paychex and trying to implement the direct deposit with them and with Citizens and Northern, she was unable to take these days because of having to catch up on her normal work she had to put aside. On motion of Cheryl, second by Ron, it was unanimous to allow Ruth to carry over 4.75 days of vacation from 2016 to 2017.

Richard Bean was present for the Parks Commission. Richard gave an update on Phase II of the Round Top Park Expansion project. They estimate they will finish by January 7th. We also received \$121,000 for Phase III from DCNR. They will do a pavilion in memory of Jack Walter, a composting restroom and a trail with a couple small bridges over the wetlands. Skip Schneider is no longer with CEI Engineering. Robin said they are allowing him to take his clients with him. John Thompson will send notice to CEI that we will not be working with them anymore and will also get an agreement together to continue with Skip. Ron asked about the loan and John said that should be approved any day.

Cheryl stepped out of the meeting at this time.

On motion of Ron, second by Christine, it was unanimous to have Kuharchik retrofit the Athens Bridge lights with LED lights.

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On motion of Christine, second by Susan, it was unanimous to give First Energy permission to cut trees just outside their power line right-of-way in Round Top that could affect their lines.

On motion of Ron, second by Christine, it was unanimous to donate \$500 to the Police Benevolent Association for their "Sirens for Santa" toy drive for needy families.

On motion of Ron, second by Christine, it was unanimous to approve the Bradford County Humane Society contract for 2017 in the amount of \$1,312.75.

Cheryl returned to the meeting at this time.

On motion of Ron, second by Cheryl, it was unanimous to send a donation of \$50 to the Orange Hill Cemetery, c/o Mr. Alan Bradley, Ridge Road, Athens, PA 18810, and to send flowers for Marge Walter's funeral.

Cheryl stepped out of the meeting again.

On motion of Christine, second by Ron, it was unanimous to reappoint Terry Depew and Arlene Lantz to Athens Township Authority for terms to expire December 31, 2021.

On motion of Ron, second by Christine, it was unanimous to reappoint Mike Chilson to the Non Uniform Pension Board for a term to expire January 1, 2020.

On motion of Ron, second by Christine, it was unanimous to reappoint Terry Depew to both the Non-Uniform and the Police Pension boards for terms to expire January 1, 2020.

On motion of Ron, second by Christine, it was unanimous to approve attendance at the PSATS conference in April, 2017 for Ed, Ruth, Robin and any board/commission member who wants to attend.

Susan said they are working on the McKinney Hill project and will be removing some trees for that. The snow fence has also been installed for the year.

Cheryl returned to the meeting at this time.

On motion of Christine, second by Cheryl, it passed to approve the minutes of November 30, 2016 as written. Ron abstained as he was absent from the meeting.

There were no police reports or road reports. On motion of Christine, second by Ron, it was unanimous to accept the monthly fire report and building permit report, and the building permit year-end summary report.

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Correspondence/Information was as listed in the meeting agenda.

Cheryl announced that recycling would be open regular hours Thursday, December 29th and Saturday, December 31st, but would be closed Sunday.

Robin advised the Board that we have a leak in the ladies room ceiling that needs attention. She was unsure who to call as we had the garage roof replaced a few years ago and wasn't sure if she should call that contractor or someone else to assess the problem. She was directed to ask Gary Webster to come in and assess the problem.

Chairman Wood-Walter took the Board into executive session at 7:30 PM for personnel and pending litigation. Robin left at 8 PM. The regular meeting reconvened at 8:29 PM. The remaining minutes were taken by Ron Reagan.

On motion of Ron, second by Christine, it was unanimous to have Attorney Thompson send a letter to Attorney Foster opposing the real estate assessment appeal on Bradford County Hospitality (Comfort Inn).

There being no further business, on motion of Ron, second by Cheryl, it was unanimous to adjourn the meeting at 8:31 PM.

Respectfully submitted,

Robin L. Smith
Athens Township Secretary