

ATHENS TOWNSHIP SUPERVISORS  
Conditional Use Hearing  
January 3, 2012 7:30 PM

Chairman Fay called the Conditional Use Hearing to order at 7:30 PM. Supervisors also present were Jack Walter, Cheryl Wood-Walter, Christine Vough and Ronald Reagan. Chairman Fay turned the hearing over to Attorney John Thompson. John explained this hearing was for a Conditional Use request from WalMart Real Estate Business Trust to place 3 or more commercial real estate establishments within the proposed WalMart SuperCenter to be located on Elmira and Winslow Streets. Testimony was taken by Stenographer, Nancy Swartz. Attorney Matthew Turoski introduced William "Skip" Schneider, engineer for WalMart, who then explained the project.

Chairman Fay took the Board into executive session at 8:24 PM for deliberation. The hearing reconvened at 8:37 PM.

Ron made a motion to grant the Conditional Use request, and Cheryl seconded the motion. Attorney Thompson called for a roll-call vote, which was as follows: Supervisor Walter – yes; Supervisor Fay – yes; Supervisor Wood-Walter – yes; Supervisor Vough – yes; Supervisor Reagan – yes. Attorney Thompson announced there were no extra conditions that would be placed at this time. The applicant granted Attorney Thompson's request to have 30 days to provide them with a written decision.

The hearing concluded at 8:42 PM.

Respectfully submitted,

Robin L. Smith  
Secretary

ATHENS TOWNSHIP SUPERVISORS  
January 3, 2012 7:00 PM  
Reorganization Meeting

The meeting was called to order at 7:03 PM. Supervisors present were Ronald Reagan, Maurice Fay, Jack Walter, Cheryl Wood-Walter and Christine Vough. John Thompson was also present.

On motion of Maurice, second by Cheryl, it was unanimous to appoint Robin as Secretary pro tem. Ron Reagan welcomed our new supervisor, Christine Vough, and returning supervisor, Cheryl Wood-Walter.

On motion of Jack, second by Christine, it was unanimous to appoint Maurice Fay as Chairman of the Board for 2012. Maurice abstained from the vote.

On motion of Maurice, second by Jack, it was unanimous to appoint Cheryl Wood-Walter as Vice Chairman of the Board for 2012. Cheryl abstained from the vote.

On motion of Jack, second by Cheryl, it was unanimous to appoint Robin Smith as Secretary of the Board for 2012. Robin thanked the Board.

On motion of Jack, second by Maurice, it was unanimous to appoint Ruth Casterline as Treasurer of the Board for 2012.

Jack made the motion to appoint Ray Brobst as Road Foreman for 2012, and to also appoint Randy Harford as Assistant Foreman for 2012. There was no second to the motion. Maurice said he would agree to Ray as Foreman, but would not second it with Randy as Assistant Foreman. Jack asked him why, and he said it wasn't appropriate. Motion failed for lack of a second.

On motion of Jack, second by Maurice, it was unanimous to appoint Ray Brobst as Road Foreman for 2012.

On motion of Cheryl, second by Jack, it was unanimous to hire Thompson Law Office to represent the Township for 2012 at a rate of \$95 per hour.

On motion of Jack, second by Maurice, it was unanimous to approve the following three benefit items:

Approve the following paid holidays: January 1, President's Day, Good Friday, Memorial Day, 4<sup>th</sup> of July, Labor Day, Thanksgiving, Veterans Day (Nov. 11<sup>th</sup>), Christmas & 1 floating holiday for full-time Non-Uniform employees granted immediately according to date of hire. Bargaining Unit holidays as per respective contracts.

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 5 consecutive days. May use up to 10/yr. as FamilySick Leave if family member requires hospitalization or care afterwards. Bargaining Unit sick days as per respective contracts.

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.

On motion of Christine, second by Jack, it was unanimous to approve time off with pay for bereavement leave for Non-Uniform employees: for the death of husband, wife or children - 5 working days; mother, father, sister or brother - 5 working days; mother-in-law or father-in-law - 5 working days; aunt, uncle, grandparents, grandchild, niece, nephew, brother-in-law, sister-in-law - 3 working days. This leave time is for employee or spouse family member. Granted immediately after employment. Bargaining Unit bereavement leave as per respective contracts.

On motion of Jack, second by Cheryl, it was unanimous to approve to continue to provide a basic dental coverage plan for each full-time Non-Uniform employee including the family plan, if applicable, provide individual and family hospitalization benefits under Blue Cross and Blue Shield Traditional or Blue Cross and Blue Shield EPO and short term disability. Provide life insurance of \$30,000.00 for full-time Non-Uniform employees Bargaining Unit employee insurance as per respective contracts.

On motion of Jack, second by Christine, it was unanimous to approve to continue to provide vision coverage for full-time Non-Uniform employees as per vision contract. Bargaining Unit employee vision insurance as per respective contracts.

On motion of Jack, second by Cheryl, 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 Jack, second by Cheryl, it was unanimous to approve and provide the Township Non-Uniform Pension Plan and contribute \$84,772 to it and provide a Police Pension Plan and contribute \$126,503 to it for 2012. The employee will be enrolled immediately upon hiring.

On motion of Jack, second by Cheryl, it was unanimous to approve that any supervisor in office during 2012 shall be authorized to perform any duties pertaining to Township affairs, whether administrative, road work, etc.

On motion of Jack, second by Christine, 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;

and to approve the other four supervisors to act in the same capacity in the event of emergency when the Chairman is not available.

On motion of Jack, second by Cheryl, it was unanimous to appoint Richard Bean as a member of the Vacancy Board for 2012.

On motion of Jack, second by Christine, it was unanimous to adopt RESOLUTION 2012-01 designating C & N Bank and M & T Bank as our depositories for 2012. Ron asked if we would be able to change this during the course of the year and John Thompson said we would.

On motion of Maurice, second by Jack, it was unanimous to adopt RESOLUTION 2012-02 reappointing Cheryl Wood-Walter and appointing Christine Vough as Athens Township's two representatives to the Bradford County Sanitation Committee Appeals Board for 2012.

On motion of Maurice, second by Christine, it was unanimous to adopt RESOLUTION 2012-03, reappointing Ruth Casterline as primary voting delegate, Robin Smith as first alternate voting delegate, and Jack Walter as second alternate voting delegate to the Bradford County Tax Collection Committee for 2012.

On motion of Cheryl, second by Jack, 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 Cheryl, second by Jack, it was unanimous to set the 2012 mileage rate at the IRS rate for 2012. The IRS rate is presently at \$.555/mile.

Voice of the Residents – none

On motion of Cheryl, second by Jack, it was unanimous to hire Penny Estabrook as our cleaning person at a rate of \$10/hour, 2 hours/day, Monday through Friday beginning January 4, 2012.

On motion of Ron, second by Jack, it was unanimous to approve the Western Bradford COG dues invoice for payment for 2012.

On motion of Jack, second by Christine, it was unanimous to approve payment of the Gannon Insurance invoices for our insurance coverage for 2012.

Motion was made by Maurice and seconded by Jack to accept the donation of a 2009 pickup truck from Chesapeake Energy to the police department. Ron asked when this happened. Maurice said he thought we'd have to move quickly on it, so he called Jack and Robin and got the OK. Ron asked why we need a pickup truck for the police department? Maurice said it would be a second four-wheel drive vehicle for them. He added that he told them they would

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have to get rid of the Hummer – we shouldn't be paying insurance on that for 12 months just to use it in 2 parades a year. Ron asked John Thompson if we have a problem with Chesapeake on this and John said no. Maurice said we didn't ask, they offered. It was the same with the fire company's receipt of \$10,000 from Chesapeake. Ron said we just approved a large land development for Chesapeake and we get a truck. He wants that on the record. Chairman Fay called for a vote on this motion. Motion passed with Ron opposed and voting no.

Maurice said we need a motion to have Larry transfer the Hummer to the Bradford County Sheriff's Department. Robin asked if that was legal. Maurice said Larry told him it was legal. They can donate it to another department or return it. On motion of Jack, second by Ron, it was unanimous to donate the Hummer to the Sheriff's Department.

On motion of Maurice, second by Ron, it was unanimous to appoint Ed Reid as Deputy Emergency Management Coordinator for the Athens Township.

Robin reported that the Sayre Area School District lease for their antenna expired on December 31, 2011. She asked the Board if they wish to have John Thompson draft a new lease at the same rate and for the same length of time. On motion of Ron, second by Cheryl, it was unanimous to renew the lease with the Sayre Area School District in the amount of \$600/year for 5 years.

Chairman Fay adjourned the meeting at 7:22 PM.

Respectfully submitted,

Robin L. Smith  
Secretary



ATHENS TOWNSHIP SUPERVISORS

January 25, 2012 7:00 PM

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

Maurice introduced Christine to those in attendance, and then called for the opening of the bids for the aluminum box culvert, which were as follows:

Chemung Supply Corp.	\$33,399
Bradco Supply Corp.	\$34,994

On motion of Jack, second by Ron, it was unanimous to accept the bid of Chemung Supply Corp. for this item.

Voice of the Residents: None

On motion of Cheryl, second by Jack, it was unanimous to approve the minutes of December 23 and 28, 2011 and January 3, 2012 (both the reorganization meeting minutes and the WalMart Conditional Use hearing minutes).

Clif Cheeks introduced Casey Cawley from Reilly Engineering to present the Athens Township Comfort Inn & Suites 4-lot subdivision, part and parcel, on Elmira Street. They will be combining 4 lots to for one for their 85-room hotel. This is just the subdivision – the land development will be submitted separately. Clif confirmed that all the deficiencies have been met. On motion of Ron, second by Jack, it was unanimous to grant preliminary and final plan approval to this subdivision.

Clif then introduced Carl Bankert of Glenn O. Hawbaker to present their Greens Landing Wash Facility land development on the west side of Route 220. Carl explained the project to the Board. There were still six outstanding deficiencies: 1) No signatures on the plans; 2) No raised seal on the plans; 3) No approved erosion and sedimentation plan; 4) No NPDES permit; 5) Waiver request for sidewalks; 6) No permit yet from SRBC. They are requesting preliminary approval only. On motion of Jack, second by Ron, it was unanimous to grant preliminary approval only to this land development, contingent upon the resolution of the six above-listed deficiencies.

Next was the Chesapeake Gravel Lay Down Yard on King Lane. Dave Young explained the project to the Board. This is the old Camco site that was purchased by Chesapeake. They intend to put Hodges Trucking at this location until their actual building is constructed on the old airport property. They will keep the existing parking lot for employee parking. They will have an automated gate where the trucks will enter and exit. Jack asked what a “lay down yard” was. Dave said they’ll be parking trucks there mostly. Ron asked if this was just temporary for Hodges and Dave said yes. Ron asked

if King Lane will be improved and Dave said they plan to pave King Lane from Wilawana Road to Lamoka Road as part of Phase I in the Spring. Dave said presently they'll have to gravel it if they want to use it before it's paved. Ron asked what the biggest truck will be for this operation and Dave said the proposed 15 ft. x 75 ft. parking spaces accommodate their biggest truck with a few feet to spare. Ron said our Zoning Ordinance requires the parking spaces to be 18 ft. x 85 ft.. The Supervisors cannot reduce the size of the spaces – that will have to be done by Zoning Hearing Board. Dave said they could increase the size of the spaces. Jack said this was on their own property so he didn't see this as a problem. John Thompson said the spaces need to be 18 ft. x 85 ft. unless they are granted a variance by Zoning Hearing Board. Christine asked about the turning radii – whether or not the trucks would actually be able to make the turns. Dave Young said they would be in the other lane for a bit, but would be able to make it. Ron said he measured parking spaces in a truck stop and they are 18 ft. x 85 ft.. Maurice asked what kind of time frame is “temporary”, and Dave said until their building is built. Cheryl asked about the lighting and there will be no light spill onto adjoining residential property. Christine asked if they will be putting in shrubs along the residential property lines and Dave said they will be installing a fence with privacy slats. Ron told Maurice he might want to ask if there are any questions from the public, which he did.

Bob Smith then asked if King Lane will be paved from start to finish and Dave Young said it will be paved from Wilawana Road to Lamoka Road as part of Phase I. He asked if this road will become a township road and that is the intention. Ron said they will have to meet our specs and we will have an independent engineer review the road spec and inspect the road to make sure it is built to spec. We will also require a minimum of one year after completion before we will accept the road so it will go through a freeze/thaw cycle. On motion of Ron, second by Jack, it passed to grant the waiver for the sidewalks on the Residential Suburban side and grant preliminary plan approval only, contingent upon the resolution of the 4 deficiencies: 1) Parking space sizes will be increased to 18 ft. x 85 ft.; 2) NPDES permit will be secured; 3) Design information will be added to the drawings for the HDPE pipe/culvert; and 4) A letter is submitted giving assurances that the increase in the impervious surface will be able to be handled sufficiently by the storm water facilities. Christine voted no.

On motion of Jack, second by Ron, it was unanimous to sign the sewage postcard mailer for the Senior Health Care Solutions land development off Lamoka Road.

Casey Joyce of Otis Eastern was present concerning the possible use of the Todd Campbell industrial site off Front Street in East Athens. He said Otis Eastern is a construction contractor and they are in need of a temporary storage yard. They want to use the Campbell site. He contacted Ed Reid and submitted a plan for land use. Ed said he would need to do a land development. Maurice asked how long they plan to be there



and Casey said 6 months. John Thompson said there is no provision to differ between a temporary use or other use. Ron asked why this is different from the Tennessee Gas Pipeline yard in the Valley Business Park, and John said we were requiring them to do the land development until they waved the 'FERC flag'. Ron asked what they will be doing for sewer and they will use port-a-johns. Ron asked what all would be on this site and he said storage trailers, construction trailers, a lay down yard for pipe, equipment storage..... Ron asked if this is temporary, how much do they need to do? John Thompson said even with Tennessee we required partial pavement. Cheryl asked what the hours of operation were and Casey said 7 AM to 5:30 PM. She asked what kind of vehicles would be on-site and he said flatbeds, lowboys, they'd have pipe storage, and would have 5 – 7 trucks a day in and out. He said some of the people might arrive at 6 AM. John asked if there would be any fabrication and Casey said minimal. Christine said she would like to see something in writing. Ron said he would like to see a map. Casey said they will be using about 5 acres, and will access through the present driveway. Christine said we already have water trucks coming in and out – she would like to see paving. She also has concerns with the flooding that has occurred, she is concerned about contamination. Jack asked if they will be welding this pipe. Casey said minimal. When asked what kind of other activity they will be doing he said some welding, staging, etc. Ron asked if they would be storing fuel and he said no. Christine asked how many employees they would have and there will be 50 – 60 employees. She asked where the parking would be located and Casey said on the 5 acres. Todd said there is existing pavement up to where the old office was, and that could be used for parking. Casey said some of the employees would be transported to sites, and some would drive the vehicles stored on the site.

Maurice asked John Thompson if there is any way to get around this in our rules and regulations. Ron read the temporary permit definition. John is still apprehensive about this. Ron suggested John sit down with Cindy and Casey and see if this can be worked out. Ron is concerned that this is in the floodplain. He asked Casey if he has a lease and he said they're working one out. Ron said this should be for no longer than 6 months. Casey said if they needed an extension, they would have to come back. Todd said he intends this to be temporary, as he is in the process of working out a long-term land development for this site. Jack asked how long to get the pipeline in and Casey said they hope to have it in the ground by mid-April and finished with the land reclamation by mid-summer. Casey said they have a similar site on Route 6 just past the State Police barracks in North Towanda. On motion of Ron, second by Cheryl, it was unanimous to have John and Cindy work with Otis to see if an agreement can be worked out.

On motion of Ron, second by Jack, it was unanimous to increase Cindy's hours from 20 per week to 30 per week, with the ability to have her work extra hours if determined necessary by the Board. This will begin as soon as Cindy is able to start.

Richard Bean reported for the Parks Commission. The Eagle project is progressing. They are working on the grant for the pond. He also showed the Board a proposed land development for Tozer's Landing Boat Launch, with wooded picnic areas and walking trails, as well as an additional boat launch at the south end of the property. They are working with 2 non-profit groups for grants for this project.

Ray Brobst reported for Public Works. He said the loader was fixed today. It had a blown left hydraulic cylinder. It was not under warranty. They are working on Wolcott Creek. He asked if he still has a clothing allowance because we still have no contract for Ray for 2012 and Ruth needs direction from the Board. On motion of Jack, second by Christine, it was unanimous to give Ray the same clothing allowance as the public works employees. Ron asked if they had fixed the drainage problem at the Betty Jo Morris property and Ray said they have to get the creek done first. Maurice said he had talked to her about it. Ray said they intend to get it done by Spring. Cheryl asked if they have corrected the problem that Dr. Musto reported in his letter about Orcutt Creek Road. Jack said it's a clay fault there like Jacklin Road. Ray said they will fix it again when it settles down. Ron asked how the new truck is working out, and Ray said good.

John Thompson presented ORDINANCE 2012-01 for adoption. This is the ordinance to prohibit engine brake retarders on portions of Front Street in East Athens. On motion of Jack, second by Christine, it was unanimous to adopt this ordinance. Ray will need to order the signs and get them up.

The speed limit has been reduced by PENNDOT on US 220 from Macafee Road south to the Milan line at the request of Hawbaker and the township. John Thompson said we do not need an ordinance for this.

On motion of Jack, second by Cheryl, it was unanimous to approve our participation in the COSTARS salt contract for the 2012-2013 season at 850 tons per Ray.

On motion of Ron, second by Jack, it was unanimous to send Ed, Cindy, John Northrup and Mike Chilson to the PA One Call Locator class to be held at the Best Western in Sayre on March 16, 2012 at 8 AM.

On motion of Ron, second by Jack, it was unanimous to ratify the 2012 raises that were placed in the 2012 budget but had not been recorded in the minutes. Christine asked what the raises were, and Robin said Eddie was 7%, Ray was 10%, and the remaining non-bargaining unit employees were 4%, with the exception of Larry, who received a \$5000 raise.

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On motion of Jack, second by Ron, it was unanimous to allow the Quilt Guild use of the meeting room on Tuesday evenings from 5:30 – 8:30 PM unless something else is scheduled for those nights.

On motion of Ron, second by Jack, it was unanimous to send Ruth to the “Comprehensive Municipal Financial Management” class at the convention to be held on the Sunday prior to the start of the convention.

On motion of Jack, second by Maurice, it was unanimous to send Christine to the “What Every Township Supervisor Needs To Know” class to be held in Wellsboro in March.

On motion of Ron, second by Jack, it was unanimous to approve the payment of the bridge inspection invoice through the County umbrella contract in the amount of \$3,677.41, which is 20% of the cost.

On motion of Jack, second by Ron, it was unanimous to approve the purchase of the newest version of Quickbooks and to purchase the payroll portion as well. We must upgrade because they will no longer supply support of the older version.

On motion of Ron, second by Cheryl, it was unanimous to accept the monthly reports as presented. There was no building permit report for the month as Ed was off on medical leave. His year-end report was submitted, however, as was the year-end Planning Commission report.

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

Correspondence/Information was as listed in the meeting agenda.

Chairman Fay took the Board into executive session at 8:50 PM for personnel. The regular meeting reconvened at 11:37 PM.

There being no further business, on motion of Cheryl, second by Ron, it was unanimous to adjourn the meeting at 11:37 PM.

Respectfully submitted,

Robin L. Smith, Secretary

## ATHENS TOWNSHIP SUPERVISORS

February 9, 2012 6:30 PM

Chairman Fay called the meeting to order at 6:35 PM. Supervisors also present were Jack Walter, Ron Reagan and Cheryl Wood-Walter. Attorney John Thompson and Secretary Robin Smith were also in attendance.

Voice of the Residents: None

Chairman Fay turned the meeting over to John Thompson to conduct the Conditional Use Hearing for Senior Healthcare Solutions. They are looking to place a 74-bed nursing home on property presently owned by Sayre Borough, west of Lamoka Road just south of the Nomac Housing and Training Facility. John introduced the Board members to those in attendance. Christine Vough arrived at 6:38 PM. Attorney Damian Rosetti of Landy and Landy represented the applicant, Michael P. Kelly. Gary Burcher of Keystone Consulting also testified on behalf of the applicant. Testimony was taken by Stenographer, Linda Wettlaufer.

Chairman Fay took the Board into executive session at 7:40 PM for deliberation on this issue. The hearing reconvened at 7:45 PM. Motion was made by Ron and seconded by Cheryl to approve the Conditional Use request. Attorney Thompson took a roll-call vote, which was as follows: Supervisor Walter – yes; Supervisor Fay – yes; Supervisor Vough – yes; Supervisor Wood-Walter – yes; Supervisor Reagan – yes. The Conditional Use request was unanimously granted. The hearing adjourned at 7:48 PM.

Chairman Fay reconvened the regular meeting to discuss a request from Chesapeake to have PENNDOT conduct a Safe Running Speed Determination Study for SR1052 – Ridge Road. On motion of Christine, second by Ron, it was unanimous to have Robin send a letter requesting the study.

There will be a meeting at 10 AM on February 14<sup>th</sup> at Athens Borough with FEMA concerning flood maps. Ed, Robin and Clif will be going so far. The Board is welcome to attend as well.

Ron asked Robin if she thought we should join the PSATS Emergency Management Association and she said it would be a great help. On motion of Ron, second by Maurice, it was unanimous to have the township join.

Ron advised everyone that his committee will be meeting with Kathie Hunter for our zoning ordinance revision on February 15<sup>th</sup> at 10 AM and he invited whoever is interested to come. John is working on revisions to the temporary uses and Eddie is concerned about the legal ramifications if Corbett signs HB 1950. Ron doesn't think we'll be able to complete the revision for the end of March and it may be pushed to April. He added that Tony Ventello will be coming to talk about the housing shortage in the Valley and discuss if there are any areas we could rezone to accommodate housing.

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John Thompson said an “accusation” has been made regarding a “boarding house” in which several gas workers have allegedly taken up residence. Discussion was held as to whether we are going to enforce our “boarding house” definition as it stands. Presently, even rentals or homes where two unrelated residents live would be considered a “boarding house” by definition. Robin asked if Code Inspections has a definition that they have to abide by that we could use for our definition. Cindy said she talked to Matt about it and he said no, but Ed said he’s going to revisit this with Matt because he thinks it is a code issue. Ron said the one issue that comes immediately to mind for him is where all the cars/trucks will park. They will discuss this with Kathie on the 15<sup>th</sup>.

Ron Reagan requested an executive session at 8:05 PM. The meeting reconvened at 8:25 PM. On motion of Cheryl, second by Ron, it was unanimous to adjourn the meeting at 8:25 PM.

Respectfully submitted,

Robin L. Smith  
Secretary

## ATHENS TOWNSHIP SUPERVISORS

February 29, 2012 7 PM

Chairman Maurice Fay called the meeting to order at 7:05 PM. Supervisors also present were Jack Walter, Cheryl Wood-Walter and Christine Vough. Ron Reagan was late because of an emergency at the farm.

### Voice of the Residents:

Shellie Northrup of Sayre was interested in our agenda items about the Act 13 Impact Fee. She had read one legal opinion about road repair which said if you have posting and bonding or road maintenance agreements, the gas companies will still need to repair the roads. John Thompson said that is just like any other contract, and that was correct. She had concerns about Act 13 now mandating certain oil and gas operations be allowed in all zoning districts. John Thompson said this is actually good timing because we have been working for the last several months revising our ordinance to include these changes. Shellie asked about the plans at the Cohen site. Maurice said the last we had heard Todd Campbell was going to bring in plans for the staging of pipe and for a water withdrawal site for a Conditional Use, but we haven't seen anything yet on either one.

Laura Blackstone and John Zakian were present from FEMA to talk about long-term community recovery. John said certain communities have suffered so much damage from the recent flooding that they need a special team to help them with recovery. They are presently working with Athens Borough to put together a long-term plan – they say about 20 projects will alleviate all the damage they had. John explained the “Main Street Program” (for downtowns) and the “Elm Street Program” (for housing). He said they go through a process to receive national recognition and then they can pursue certain grants. They found that the Main Street Program doesn't like to recognize any municipality with less than a population of 5000. DCED is encouraging partnerships of the small communities and suggested that to Athens Borough. DCED has lumped KOZs in with these two programs, which would make the township an eligible partner. FEMA recommended that Athens Borough designate their downtown as a Main Street Program and that they partner with another community. John added that these grants are competitive grants and not automatically granted. There are matches required with these grants. Money can be used for staff to administrate the programs, economic development money and bridge repairs. Congress has expanded the CDBG grant program to include supplemental disaster funding in the amount of \$27-million. 80% goes to federally declared counties. John said their team is only advisory. They suggest. Their client is Athens Borough and their steering committee. They are putting a plan together for the end of March.

Robin asked what projects they see for the township. John said the Borough would be in the Main Street Program and the township would be in the KOZ. This would be a means to create a plan.

Jack said we have a lot of poor bridges in our township. Would they qualify? John said not in the Main Street Program. They could possibly in the CDBG program. DCED will have to present a plan to HUD for the use of the CDBG money. Jack wants to see us do something tonight. Robin asked what if Athens Borough doesn't go through with the program? Jack said our action would just be void then. On motion of Jack, second by Christine, it was unanimous to partner with Athens Borough in pursuing their Main Street Program.

On motion of Cheryl, second by Christine, it was unanimous to approve the minutes of January 25, 2012 with the revision (page 4, last ¶, changed "...and the remaining employees..." to "...and the remaining non-bargaining unit employees...") and the minutes of February 9, 2012 as written.

Robin advised the Board that we had discussed the waiver of sidewalks for Hawbaker's Wash Facility Land Development on US 220 at our January meeting, but had never taken the official action. On motion of Jack, second by Cheryl, it was unanimous to grant the waiver for the sidewalks for this land development.

Robin said she received Martha Brennan's resignation from Planning Commission today. Martha has had schedule changes that no longer allow her the time to attend meetings and workshops on a regular basis, and she did not feel it would be fair to Planning Commission to stay on. Robin said Ron Reagan had expressed an interest in rejoining Planning Commission if an opening became available. On motion of Maurice, second by Cheryl, it was unanimous to appoint Ron Reagan to finish out the term of Martha Brennan which will expire October 30, 2013.

Richard Bean reported for the Parks and Recreation Commission. The Eagle Scout project and the pond project are still moving forward. They are finalizing plans for Pathways at Tozer's Landing. Round Top will open May 5<sup>th</sup> and Barry will start on April 2<sup>nd</sup>. The Commission will do parks inspection on April 7, 2012 at 9:30 AM beginning at Tozer's Landing.

Robin advised the Board that LTAP will be holding an "Equipment and Worker Safety" class here on March 12<sup>th</sup> from 8 AM to noon. She said it is free. On motion of Cheryl, second by Jack it was unanimous to send the public works department to this class.

Robin said we have received 6 applications for Bob Birk's position in the public works department. Jack said he will get with Ray and look them over.

Robin said there is a class on "Working in the Stream – the Facts" at the Wysox Fire Hall on April 3<sup>rd</sup> from 1-4 PM. Registration is \$5. Jack said he will go with Ray Brobst.



Dave Young requested to address the Board concerning the possibility of a signal at the intersection of Mile Lane and Wilawana Roads. He said Chesapeake was willing to install a light at that intersection, but the intersection does not meet all the criteria necessary for signalization. If the Supervisors send a letter of support with documentation showing accidents and dangerous issues at this location to Chesapeake, they will include it with their traffic study. Maurice said once their complex is in, the traffic will warrant it. Cheryl said she witnessed a truck having a problem making the turn there. A light would have alleviated that problem. Dave said signage could also be added with the signal. On motion of Cheryl, second by Ron, it was unanimous to send the letter to Chesapeake once the police department gets us the information.

Robin advised the Board that we have only purchased 359.15 tons of the 850 tons we contracted for this season, and we will need to purchase 60% of our contract by June, so we need to keep that in mind.

On motion of Ron, second by Cheryl, it was unanimous to close Pennsylvania Avenue between Frederick and Pine Streets for the school district on May 12<sup>th</sup> from 8 AM to 5 PM for the NTL track and field meet; on May 19<sup>th</sup> from 7:30 AM to 9:30 PM for the District IV Class AA & AAA track and field meet; and for Commencement, which is tentatively set for June 8<sup>th</sup>, dependent on the weather. No timeframe was given for that closure.

On motion of Cheryl, second by Jack, it was unanimous to reappoint Russell Watson and Dr. Kenneth Meyer to the Spalding Memorial Library Board.

On motion of Jack, second by Christine, it was unanimous to reappoint Terry Depew to the Athens Township Authority Board for a term to expire 12-31-16.

Chairman Fay listed the following committee assignments:

Jack Walter: Roads, Sewer, Safety, Labor Relations (LR)

Maurice Fay: Fire, Police, LR, Recycling

Christine Vough: Parks, Junkyards, LR and Planning

Cheryl Wood-Walter: Finance, Insurance, Right-to-Know, Junkyards, LR

Ron Reagan: Office, Buildings/Grounds, Planning, Zoning, LR

Discussion was held as to sending a letter to the County Commissioners urging them to enact the Act 13 Impact Fee Ordinance. Robin had drafted a letter for review. Jack said he doesn't think their position against this fee is a good course for them to take for the good of the County. He doesn't feel the fee will impede the industry. On motion of Jack, second by Cheryl, it was unanimous to sign and send the letter to the Commissioners.

Maurice told the Board that he had received a postcard from a company that does town clocks. His wife saw the card and thought it would be a great project for the Veteran's Memorial Committee to undertake. She thought it would be nice to have a sidewalk installed off the main sidewalk to the eternal flame that would run toward Elmira Street where they could put the clock and a couple benches for people to sit. Maurice said the Veteran's Memorial Committee would pay for it if the Board approves it. He will have Ron Nogar design it and then we can look at it and decide. Maurice will try to get something for our next regular meeting. Robin asked Maurice if he had seen the fire company sign out front when he came tonight as it was lit up for the first time. The Veteran's Memorial Committee had paid to connect the electric to the sign. Robin thanked Maurice and the Committee.

On motion of Ron, second by Cheryl, it was unanimous to approve, sign and execute the copier agreement for 2012 in the amount of \$715.

Maurice asked Ron to read the monthly reports, which he did. On motion of Maurice, second by Cheryl, it was unanimous to accept the monthly reports as presented.

Dave Young had another question concerning the height modification needed for the Chesapeake Phase 3 and Phase 4 buildings. He said he met with the township 2 weeks ago and said they need to go higher than the 3 and 4 stories they had originally proposed because of some issues with the soils in that area. They are now looking at 5 stories for both buildings. They know we are working on revisions to our ordinance and ask that we move forward with the revisions as quickly as possible. They could have requested a variance from Zoning Hearing Board, but they did not want to do that. Dave said they know they have to come back to Planning Commission with Phase 3 because they are increasing by two stories. Ron said their revision committee is meeting with our consultant tomorrow in hopes of getting all the changes wrapped up. They will be shooting for the second week in April if all the revisions are finalized tomorrow. Ron said they are recommending 8 stories in Industrial and 10 stories in Interchange Commercial. Ron asked Dave Young if the extra stories would be a problem with the water problem out there and Dave said it wouldn't. Bill Cotton of Athens Borough said the biggest issue was the 2000 yards of concrete they were going to be using before to keep it from floating. With this new design, they won't need that much concrete.

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

Maurice asked Robin to read the correspondence, which she did. It was as listed in the meeting agenda.

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Chairman Fay took the Board into executive session for personnel issues at 8:14 PM. The regular meeting reconvened at 10:41 PM.

The police contract was discussed. Maurice feels it is a good contract. Motion to accept the contract made by Christine Vough, second by Jack Walter with the stipulation that the other non-bargaining unit employees be added to the Teamsters insurance through the police contract if they choose. Roll call vote was taken for approval of the police contract and was as follows: Mr. Fay – yes; Mrs. Wood-Walter – no; Mr. Reagan – no; Mrs. Vough – yes; Mr. Walter – yes. The motion passes.

On motion of Ron, second by Maurice, it was unanimous to adjourn the meeting at 10:45 PM.

Respectfully submitted,

Robin L. Smith  
Secretary

## ATHENS TOWNSHIP SUPERVISORS

March 28, 2012 7:00 PM

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

Voice of the Residents: None

Bill Morris, Chairman of the Board of Auditors, reported on the 2011 audit. He distributed copies of the audit to the Board. He said they were pleased to submit a balanced report to the State. He assured those in attendance that everything is in order and the books are balanced. Ruth does an excellent job.

Athens Township Volunteer Fire Company representatives Chief Bill Kneebone, Fire Police Captain John Northrup, Fire Police 1<sup>st</sup> Lieutenant Carmon Birks, Chairman of the Board of Directors Bob Birks and Treasurer Deb Northrup were present for several fire company issues. Deb presented a list of yearly non-emergency events that the fire company participates in by request, to be approved by the Board of Supervisors which will allow coverage by Worker's Comp insurance. The events are: Memorial Day parade; Homecoming parade; Halloween parade, Christmas parade, Athens Graduation; Boy Scouts Rummage Sale; District athletic event gate security; Arts Fest parking; Jim King Run; Turkey Trot; Valley Soccer Tournament; Poker Run; Pride Ride; Guthrie Gallop; Rock and Mineral Show security; Relay for Life Run; and Gold Wing Riders. On motion of Jack, second by Ron, it was unanimous to approve these non-emergency events for ATVFC participation on an annual basis.

Chief Bill Kneebone advised the Board that the fire company has just purchased a 2007 Ferrara aerial truck for better access for high-rise structures. This truck will have a platform on the end of the bucket so people will not have to climb down the ladder – the platform can be lowered to the ground. It will be much safer. The new truck can reach 100 ft. in the air. It should be here in 21 days. Christine asked how many stories that would reach and Bill said about 10 stories.

On motion of Jack, second by Christine, it was unanimous to approve the minutes of February 29, 2012 as written. Cheryl asked to clarify her opposing vote for the police contract that was taken after executive session at our last meeting. She said she voted no because of concerns over the health insurance benefits, not because she has any issues with the police department. She has been on the board for over six years now, and every year we see our insurance costs go up. Every year we also talk about doing something about it. Negotiating this first police contract this year was our opportunity to do it and we didn't. That is why she voted no.

Richard Bean reported for the Parks and Recreation Commission. The Eagle Scout project is still moving forward. Round Top Park will open May 5<sup>th</sup>. Barry will start on April 2<sup>nd</sup>. The Commission will hold park inspection on April 7<sup>th</sup> at 9:30 AM, starting at Tozer's Landing. The East Athens neighborhood will be landscaping the Jim King Memorial Park. Mary Hutz of Guthrie Clinic presented plans to the Commission for a Walk from Obesity in Round Top on September 29<sup>th</sup>. They will be using the pavilions on the upper level. There is a fee to participate, but the fee will "stay in the Valley". The Commission is inviting the Supervisors to a meeting on April 9<sup>th</sup> at 7 PM to bring them up-to-date on what the Parks Commission is doing. Richard invites the press to this meeting as well. This will be an informational meeting on the plans for the pond in Round Top and for Tozer's Landing. They are working directly with the Fish and Boat Commission on this. Richard asked the township not to forget the Parks when we receive the impact fee.

Ron presented the Athens Township Comfort Inn and Suites land development on the corner of Elmira and Westbrook Streets for preliminary approval. The highway occupancy permit (HOP) is the only deficiency, and it has been submitted to PENNDOT for approval. Ron said the NPDES permit was issued to Susquehanna Hospitality, but now they are Bradford Hospitality. Ron asked if any of the names on the permit had changed, and they had not. John Thompson said we would need a notarized statement that they are all the same. Casey Cawley, representing the applicant, said the permit can be transferred. This will be a 3-story hotel with 85 units. They will have 90 parking spaces as per our ordinance. The HOP will include the retiming of the traffic signal there (Lowe's). The storm water will be handled by subsurface tanks that will disperse it. There will be fencing and landscaping at the rear of the property. Ron said we will need a developer's agreement and Casey showed where this is included on the plans.

Maurice recessed the regular meeting at 7:27 to hold a public hearing on this land development. Sharon Campbell of Rosh Road said she bought her house 2 years ago. Why do we need another hotel? Why wasn't she notified? Maurice said they have applied for this and it was in the paper. John Thompson said there is no requirement to give notice to any property owners. Christine said in other instances there have been notices. John said they are required for Conditional Use and Special Exception hearings, but not in this case. Sharon asked why we need a 4<sup>th</sup> hotel? John said it is not up to the Supervisors. If they meet the criteria of the ordinances, it's allowed. Sharon said this is a nice quiet area. Why here? She asked if there will be landscaping and screening and there will be. Ron said they will enter and exit from Elmira Street, so it will just be

the parking lot in the rear by the residential area. Sharon said this is a done deal and they have no voice.

Cheryl said it's the same as selling your home. We have no control as to whom you sell your home. In the Commercial District, this is an allowable use. Sharon asked what about a restaurant? Cheryl said we can't dictate that.

Bruce Fay of Rosh Road said he came to the Planning meeting on March 5<sup>th</sup> with his concerns about the buffer area and lighting. The back of the hotel will be 110 feet from his house. There used to be houses all along Elmira Street. Now it has changed to Commercial. Ron said this has been zoned Commercial over 10 years because it was developing with commercial businesses. Zoning does give us some control as far as setbacks, screening, etc. Cheryl said that lot has been for sale there for a long time. Mr. Fay said it could have been a gas station, and that would have been a lot worse.

Pat Campbell of Rosh Road said the gas company lighting on Wheellock Avenue is horrible. Maurice commented that the FEMA trailers have bright lighting, too.

Bruce Fay asked if they will be planting trees and shrubs that will act as a sound barrier, and Casey said they would. The fence will be 6 ft. tall, and lighting will be within the standards of the ordinances.

Maurice closed the public hearing and reconvened the regular meeting. On motion of Ron, second by Jack, it passed to grant preliminary approval only to this land development, contingent upon receipt of the HOP. Christine voted no, and asked Robin if she recorded her vote as no. Robin said she did, and asked Christine if she would like to elaborate, but she did not wish to.

Next was the Ronald/Joyce Ellers 2-lot subdivision on Clinton Street, lot 3A to become part and parcel to lot #1. All deficiencies have been met. On motion of Ron, second by Jack, it was unanimous to grant preliminary and final plan approval to this subdivision.

Ron presented the Discover the World Learning Center LLC land development on Clinton Street for review. Lisa and David Scheftic presented their plan. There will be a fenced area for the playground. The fence will be 6 ft. high with privacy slats. The existing building will be modified to accommodate 50 children. The parking lot will be refurbished for minimum parking. Drainage for the entire lot will be to a rain garden along the rear. Ron commented that there was no sign

package. Dave said he has provided that to Eddie. He also has his driveway permit. Ron said we need to have surety posted. Ron had a list with the amounts required for the surety. John Thompson will do the agreement and will work with Kevin Dougherty of Citizens and Northern Bank.

On motion of Maurice, second by Ron, it was unanimous to grant preliminary AND final plan approval to this land development, contingent upon receipt of the executed improvements agreement.

Ron said the next regular Planning Commission meeting will be April 2<sup>nd</sup>, and reminded the board that we have a public hearing on April 12<sup>th</sup> at 6:30 PM for the amendments to the zoning ordinance. He said we have also submitted our oil and gas changes to the PUC for Act 13 and are waiting to see if they will be compliant with the Act.

Ray Brobst was present for Public Works. He said they got the guardrails up on Jacklin Road. He also said we have a serious traffic situation at the corner of Center Street and Pennsylvania Avenue – the owner needs to cut the trees (the house that was formerly owned by the Bergmans). John said he needs to know if the trees are in the right-of-way (ROW) – we would need a survey. Ray said he will get measure the ROW. On motion of Cheryl, second by Christine, it was unanimous to have Ray measure the ROW and have Robin get a surveyor if we need one.

Ray requested part timers for patching. Cheryl said they are not in the budget. We didn't have them last year. Discussion was held. On motion of Jack, second by Maurice, it passed to hire 2 part-timers with a 'yes' vote from Christine. Cheryl and Ron voted no.

Ron asked Ray what he is going to do with Chamberlain Road – why did you put the big rocks in the road? Ray said creek gravel makes the best base. Ron said he's been getting complaints about it. Ray said they will do something. Ron asked what they're going to do with Tutelow Creek Road? Ray said they need a bridge to fix the problem. Cheryl asked about the condition of Dunkley Hill Road at the corner. Ray said it was bad – washboarded. He said it should be graded this week.

On motion of Jack, second by Christine, it was unanimous to approve the Dirt and Gravel Road contract for Highland Drive.

Discussion was held as to Bob Birks' replacement. Ron asked when we made a motion to advertise this position? Jack said he interviewed 6 applicants and picked a "#1" and #2. Ron asked when it was that we made a motion to replace Bob – he didn't know we were replacing Bob. Ron asked who did the interviews and Jack said he did. Ron asked if there were any other supervisors present and there were not. Jack said Ray sat in. Cheryl asked when did Bob give his notice and Ray said February 24<sup>th</sup>. Maurice asked if there were any more comments. Cheryl said there should have been something about this at our February meeting since notice was given prior to that. Robin said there was discussion but no motions were made. Jack made a motion to hire the guy they chose as #1. He said he was not aware he needed permission to replace Bob – they've always had a 6-man crew. We need a man. Cheryl asked if we could discuss the applicants in executive session as we don't even know who we're voting on. The Board agreed. There was no second to Jack's motion at this time.

On motion of Ron, second by Maurice, it was unanimous to ratify the addendum to the Dawood Engineering contract for the Meadowlark Drive bridge (to have them complete the GP-11 permit at a cost of \$3200.00).

On motion of Cheryl, second by Jack, it was unanimous to adopt RESOLUTION 2012-04 urging our legislators to eliminate/amend the PA Prevailing Wage Act. PSATS had sent out a sample resolution to all townships asking them to consider adopting it. The prevailing wage law is antiquated, and the one change proposed would be to increase the cap at which prevailing wage would be required from \$25,000 to \$185,000.

Robin received a request for a "Children At Play" sign on Wolcott Hollow Road near McCloe's trailer park. She explained to the caller that Wolcott Hollow Road is a PENNDOT road. He said he has contacted PENNDOT on numerous occasions with no success. He stated the traffic flies through that area. People walk along the road there and there are a lot of children in that location. Robin asked the board if they would consider sending a letter to PENNDOT requesting this sign. On motion of Maurice, second by Cheryl, it was unanimous to send a letter to PENNDOT requesting this sign.

John Thompson had prepared a draft ordinance for Roadway Undercuts and Borings. Jack would like to 'beef' this up considerably. He would like to see some control of the utilities in our right-of-way (ROW). He would like to see the utilities out of our ditches. If they would need to go in our ROW at all, we would only approve to keep them at the edges. We also need some kind of spec on the borings – how big, how deep, etc. Jack would like to see the requirement for the



PA One-Call in the ordinance as well. He knows it's a state law, but it may not hurt to reference it. Ron said this is not going to take care of the existing utilities – just any new utilities. Christine said Athens Township Authority is having this problem as well. Ron said we need to make sure we allow for them to CROSS our ROW in the ordinance. John took Jack's notes. He said these changes may need to be in a separate ordinance. He will re-do the ordinance for our next meeting. Jack thinks the utilities should be at the adjoining back property lines. Ron read our requirements from the SALDO. The ordinance states the utilities SHALL be in the street ROW. We would need to change that if we do this. Christine asked if this could be added to the meeting on the 12<sup>th</sup> and Ron said it can't – the 12<sup>th</sup> is for zoning, not SALDO.

Robin is concerned about our salt contract for 2012-2013. We have contracted for our usual 850 tons. With the mild winter we have had, our salt shed is full and we still need to order 161 more tons to fulfill our contract from 2011-2012. She would like the board to consider reducing the amount to 600 tons for 2012-2013. She called about amending the contract and we only have until March 31, 2012 to amend our requirements. Discussion was held. On motion of Jack, second by Maurice, it was unanimous to amend the 2012-2013 salt contract to 600 tons.

Robin received an email from Virginia Feigles-Kaar at PENNDOT concerning the necessity for a construction inspection engineer for the Road C project. PENNDOT said Ray does not have the qualifications to do this. On motion of Ron, second by Cheryl, it was unanimous to have Robin advertise for this position.

Robin received a call from PENNDOT concerning the speed limit on Ridge Road. We had contacted PENNDOT about this after we received a request from Chesapeake asking for a speed reduction. PENNDOT had responded initially that they would not lower it, but they have since received a letter from Sheshequin Township and are expecting one from Litchfield as well. They would like to meet with representatives from all three municipalities on April 10<sup>th</sup>, 11<sup>th</sup> or 12<sup>th</sup> to discuss this further. Maurice and Jack would be available any of those days. Christine said she may be available if it was on a Tuesday. Robin will get this scheduled.

On motion of Maurice, second by Cheryl, it was unanimous to ratify the institution of the burning ban on March 7<sup>th</sup> and the lifting of the burning ban on March 26<sup>th</sup>.

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On motion of Ron, second by Maurice, it was unanimous to ratify the lease of a rental car for \$25/day from Williams for Ed to use to go to his Floodplain Management class next week.

Ginger Kinner sent a letter advising us that she has appointed Robin Pane as her Deputy Tax Collector for times when she is unable to perform the duties herself. She hopes the Supervisors approve of this appointment. On motion of Maurice, second by Jack, it was unanimous that the Board approves of this appointment.

On motion of Ron, second by Maurice, it was unanimous to hire Emily Casterline as a back-up recycling attendant on an as-needed basis, effective immediately. Emily will start at minimum wage.

On motion of Ron, second by Cheryl, it was unanimous to approve the requested tax refund for Hal and Janet Lambert.

On motion of Maurice, second by Cheryl, it was unanimous to approve the payment of the invoices for Actuarial Services for both pension funds (\$2025 each) for 2011-2012 from the respective pension funds.

Robin advised the Board that Jack Belles' brother, Daniel, had passed away on March 16<sup>th</sup>. The family requested any donations be made to the American Diabetes Foundation, Wilkes-Barre PA Office, 65 E. Elizabeth Ave, Suite 502, Bethlehem, PA 18018. On motion of Jack, second by Maurice, it was unanimous to have Ruth send a donation of \$50 in memory of Daniel Belles.

On motion of Jack, second by Ron, it was unanimous to adopt RESOLUTION 2012-05, adopting the Bradford County Emergency Management Plan as our own plan.

On motion of Cheryl, second by Maurice, it was unanimous to adopt RESOLUTION 2012-06, adopting NIMS for emergency management.

Ron said he would like us to have a picnic at Round Top for all employees, board members, fire company members, and their families in appreciation for all they do. He would like us to possibly have it catered. Discussion was held. On motion of Ron, second by Cheryl, it was unanimous to set the date for this picnic as September 15, 2012 from noon to 3 PM, to have the meat and beverage catered, have everyone bring a dish to pass, and have the township provide the table service.

Robin advised the Board that a literacy tutor had contacted the township to see if she could use our meeting room on Wednesdays from 2 – 3:30 PM to tutor 4 students. She is presently tutoring them at Wendy's Restaurant, but that is not conducive to tutoring. She needs a place that the kids can walk to – they are from DeSisti's trailer court on Clinton and Elmira Streets. On motion of Maurice, second by Cheryl, it was unanimous to approve this.

Maurice read the monthly report totals. There was no building permit report because Ed was out this week at a seminar. On motion of Christine, second by Jack, it was unanimous to accept the monthly reports as presented.

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

Maurice read a flyer that had been given to him by Ed Campbell of Wildwood Road requesting volunteers for a cleanup of the Wildwood Nature Reserve wetlands to be conducted on April 14, 2012 in conjunction with Carantouan Greenways.

Correspondence/Information was as listed in the meeting agenda.

Maurice said a dumpster has been donated to clean up the Gastl property on McCardle Road if the township will pay to dump it. Discussion was held. Maurice will check with the fire company to see who they had to clean and will see if they would be willing to do Gastl's.

Maurice took the Board into executive session at 8:52 PM. The regular meeting reconvened at 10:34 PM.

On motion of Maurice, second by Christine, it was unanimous to give Ray a clothing allowance of \$150 until such time as the public works contract is approved, with the difference (of the negotiated clothing allowance) added at that time for Ray. The employee requesting reimbursement for boots is granted; this will be deducted from the total clothing allowance agreed to and ratified in the contract.

Ruth advised the Board that our next payday is a holiday for the office (Good Friday) and requested permission to do payroll on that Thursday. On motion of Ron, second by Jack, it was unanimous to have Ruth do payroll for that Thursday.

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Leo Wisniewski has an issue with action that was taken on “paper streets” in 2009. John would like to read the meeting minutes regarding this to see who spoke at the meeting. The minutes should be dated late 2008 or early 2009, and would have to do with the actual adopted ordinance 2009-06 of March, 25, 2009. February 3, 2010 deed conveys parcel/lot to the Watkins’ – description says “conveys commonly known as Dean Street”, and “all of Dean Street north of Center Street”. It is not our property to convey or change. No action was taken at this time by the board other than to have John Thompson look at the minutes.

John brought up Gastl to ask if the signs had been taken down, but Maurice said “No” and he has taken some old tires, etc.

The improvements agreement on the rain garden at Discover the World Learning Center was discussed. John will look into the timeframe of 1 year, and will check with Eddie on stormwater management.

April 6<sup>th</sup> is the argument on Aqua Pennsylvania’s appeal for their Riverside Drive water withdrawal operation. It will be at 8:30 AM before Judge Smith.

Discussion was held again on the contracts for Larry and Ray for 2012. No action was taken.

On motion of Ron, second by Christine, it was unanimous to have Robin cancel the First Priority Health EPO, United Concordia and Vision insurance for the police department bargain unit members effective April 1, 2012 (the effective date of their new Teamster’s insurance benefits).

On motion of Ron, second by Maurice, it was unanimous to have Robin also cancel the short- and long-term disability insurance for the police department bargaining unit members effective April 1, 2012 as this is not part of their contract. We will retain the \$75,000 life insurance at the township’s expense as per their contract.

On motion of Christine, second by Jack, it was unanimous to hire Benjamin Coyle as replacement for Bob Birks in the public works department at the old contract starting salary, contingent upon the results of his drug test and background test.

On motion of Ron, second by Cheryl, it was unanimous to adjourn the meeting at 10:48 PM.

Respectfully submitted,



## ATHENS TOWNSHIP SUPERVISORS

April 25, 2012 7:00 PM

Chairman Maurice Fay called the meeting to order at 7:04 PM. Supervisors also present were Jack Walter, Cheryl Wood-Walter, Christine Vough and Ronald Reagan. Attorney John Thompson and Secretary Robin Smith were also in attendance.

Voice of the Residents: None

Richard Bean was present for the Parks and Recreation Commission. The park will open on May 5<sup>th</sup>. The water was tested and is good. Richard said the Commission completed inspection of the parks and left the list of things to be done on Robin's desk for Barry. The residents of East Athens will be doing landscaping in the Jim King Memorial Park. The expansion of Tozer's Landing is still being "created". Chesapeake has fixed Tozer's Landing Road, but there are still a couple of things that need to be done. Eddie will get with them on this. Richard said the rear gate to Round Top Park is a problem. People keep driving around the locked gate to gain entrance to the park. Richard asked if it might be possible to have the highway department place 2 or 3 of their big cement blocks to close off this access. Maurice said they can still get in through Rick Simonds' driveway by the towers so we'll need to do something about that. Richard also stated that the speed limit should be lowered on Glen Valley Road to 25 mph – or "Children At Play" signs should be installed. Maurice said that is a state road and they haven't done anything about that. Richard said something needs to be done. The EPA has denied the expansion of the Round Top pond into the wetland area. Richard said their other option would be to move the dam to where the power lines are. The electric company easement would need to be changed if that is done. He will be meeting with the engineers tomorrow to see if there are other options.

On motion of Jack, second by Ron, it was unanimous to approve the minutes of March 28<sup>th</sup> and April 12, 2012 as written.

John Thompson said the bond counsel for the Athens Township Volunteer Fire Company (ATVFC) has advertised that they will be holding a public hearing on behalf of the Athens Township Supervisors at his office at 10 AM on May 2, 2012 in regards to the ATVFC tax-exempt loan for their new ladder truck. Ron asked what the Resolution is for that we need to adopt tonight and John said it's basically giving him permission to hold this hearing on behalf of the Supervisors at his office. He added that the Supervisors are not guaranteeing this loan. Ron asked why the hearing was being done at his office and he said it took him by surprise. John said the bond counsel had requested this. Ron said he was a little put out that an ad was done for this and the Board of Supervisors weren't even aware of this until after-the-fact. Robin asked why we need to do this. Deb Northrup, treasurer of ATVFC was present (along with ATVFC members Carmon Birks, Director Bob Birks, Chief Bill Kneebone and 2<sup>nd</sup> Assistant Chief Brent Beidleman) and said they were unsure why this was necessary as well. Usually this is required if a fire company is funded by a municipality, but they are independent. Deb was out of the

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country and didn't know about it until this week. She would have called the bond counsel if she had been here, adding that ATVFC has had tax-exempt loans before and purchased trucks and equipment before and have never had to do this. On motion of Jack, second by Christine, it was unanimous to adopt RESOLUTION 2012-07 authorizing the public hearing to be held at John's office on behalf of the Supervisors at the request of the ATVFC bond counsel. Deb thanked the Board for their support.

Ray Brobst was present for Public Works. He said there is more and more flood work they need to be doing, and we will need to bid R-4 and R-8 rock. We will need it for the Dirt and Gravel Road Project (DGRP), too. Robin said we have already purchased some of this – what if the bid comes in lower from another supplier? Ron asked if we could bid the rock just for the DGRP and John said yes. On motion of Jack, second by Christine, it was unanimous to bid the DGRP rock separate from the rock for the flood.

The hiring of a replacement for Bob Birks and two part-time patching crew members will be discussed in executive session.

John said he needs help from Jack Walter concerning the addition of some items Jack requested be included in the Roadway Undercuts and Borings ordinance. He wants to sit down and get something that will work for Jack. They need some samples to look at. Jack asked if they'll be "plowing new ground" and John said in a way. They will set a time to get together.

Robin presented paperwork that needs to be executed for the Road C utility relocations. Christine asked to review the paperwork. Maurice asked if the Authority would be moving their lines at their own expense and Robin said they have asked that the relocation be included in the construction funding for the project. On motion of Jack, second by Ron, it was unanimous to approve, sign and execute this paperwork, which does include the relocation of the Authority lines in the contract.

Robin presented a letter from NYDOT requesting comments for their Route 17/I86 Conversion construction schedule for the next 2 years. They will require Exits 60 and 61 to be closed temporarily for a short period of time. Detours are being developed for consideration. No detour is expected to stay in place overnight. They are requesting our comments. Jack said he thinks we should write and tell them we don't have any problem with that. On motion of Jack, second by Cheryl, it was unanimous to send a letter to NYDOT stating we have no objections.

Ray said he is getting prices from Vestal Asphalt for paving. He will be bringing in a hefty list of paving projects and will let the Board decide what should be done.

Jack said FEMA will not pay us for the cleaning of Wolcott Creek along Macafee Road. Ray said he talked to Ken and they may pay for the loads that came out. It will be resubmitted.

Jack said they are trying to get things in line to get the Meadowlark bridge project going. He likes this type of construction as a replacement for the tanks we have used for years. The state doesn't want us to use railroad cars any more. This design looks good – it's the one we're going to learn on. We had an engineer to the hydraulic and hydrologic study. He would like to get this ordered. We've bid it out. Now we're working with Chemung Supply to get this ordered. The last thing he wants is the Board nay-saying the project after it starts, so speak now if you have anything to say. They decided to go with concrete footer pads, which will be engineered by Contech. Phil Prunoske of Chemung Supply was present and said the bridge itself is approved by the state. We can get it stamped, but it doesn't change the warranty. It will be \$500 for stamped drawings. Phil said Dawood should be able to stamp the drawings and Robin said Dawood needs Contech to stamp the drawings. Phil said that's not a problem. Jack said the aluminum footers made him uneasy. The Contech rep said because of the volume, probably concrete would be better. If we give Phil the OK tonight, he can have the drawings in about a week. Ron asked who will inspect this to make sure it's done properly. Phil said we would have to hire someone. Jack said the Town of Barton has done two of these and one of their guys could get us going. It's all prefab – he doesn't know how you can make a mistake. Maurice said the state inspects our bridges. Robin said they inspect bridges over 20 ft. This bridge will be over that. Maurice said they can inspect this bridge, too. Jack said he would rather build the bridge on-site than build it here and move it. He said this is a good step-up from what we've been using. Ron asked how many guys it will take to do this and how long. Ray said it will take a couple days to bolt together and a couple days to build the wing walls. Jack said they are getting ready to pull the trigger. On motion of Jack, second by Christine, it was unanimous to move forward with this project with the concrete footers; to order the bridge pieces from Chemung Supply and to get the stamped drawings for the permit.

Ron asked how soon we need to get the concrete bid out. Robin said we can't bid it until we have the specs. On motion of Ron, second by Cheryl, it was unanimous to have Robin advertise the concrete footers for bid upon receipt of the specs.

Robin had information on a "Trenching and Excavation Training", but Ray said they don't dig that deep that they'd need to go to that.

Scot Saggiomo of Planning Commission presented the Callear's R&R Bar-B-Que Catering, Inc. 2-lot subdivision at 2081 Elmira Street for review. All 4 deficiencies have been met. On motion of Ron, second by Christine, it was unanimous to grant preliminary



and final plan approval to this two-lot subdivision – Lot #2 to become part and parcel to Lot #1 to form a single lot owned by Ronald E./Roxann E. Callear located at 2081 Elmira Street.

Next was the Michael D./Kelly L. Miner three-lot subdivision located on Meadowlark Drive. All deficiencies have been met and Kelly stated that Ed was OK with everything. On motion of Jack, second by Ron, it was unanimous to grant preliminary and final plan approval this subdivision, and to execute the sewage planning module.

Ron advised the Board that not all engineers/surveyors have raised seals for the drawings – they use a stamp and original signature. The raised seal is a requirement in our SALDO. Ron asked John Thompson if we would be able to waive that requirement since it is in the SALDO and not the zoning ordinance and John agreed that we could.

Scot presented the Douglas C./Patricia D. Tappan two-lot subdivision on Mile Lane Road for review. All deficiencies have been met. On motion of Ron, second by Christine it was unanimous to grant preliminary and final plan approval to this subdivision.

Next was the Consulting and Design, LLC (Drake Petroleum) subdivision-by-lease located on Elmira Street (XtraMart). There were 4 deficiencies, but all have been resolved. On motion of Ron, second by Cheryl, it was unanimous to grant preliminary and final plan approval to this subdivision-by-lease.

Scot presented the Consulting and Design, LLC (Drake Petroleum) land development on Elmira Street. This is also at the XtraMart property. They will be moving the diesel pumps/tanks to the south side of the property to lessen congestion. All 3 deficiencies have been resolved. Planning Commission recommends preliminary approval only. On motion of Ron, second by Jack, it was unanimous to grant preliminary approval only to this land development.

Robin presented the Jeffrey/Jean Barber non-building waiver for the remaining 1.99 acres of their subdivision that was approved at our November 30, 2011 meeting. This is the lot on which the existing house sits and the non-building waiver is necessary so that no other sewage-generating structure goes on that lot. (Christine left the table). On motion of Cheryl, second by Jack, it passed with Maurice also voting in favor and Ron abstaining as his daughter is looking to purchase this property.

On motion of Ron, second by Maurice, it passed with Cheryl and Jack also voting in favor to change the date for the Campbell Conditional Use Hearing and the Merrick Zoning Map Amendment Hearing to May 31, 2012 as Mr. Campbell's engineer had a conflict with the original date of June 6, 2012. Christine was not present for the vote.

On motion of Ron, second by Cheryl, it passed with Jack and Maurice also voting in favor of adopting RESOLUTION 2012-08 approving the modification of the existing Lowe's traffic signal and intersection by the developer of the Comfort Inn and Suites. Christine was not present for the vote.

On motion of Cheryl, second by Jack, it passed with Maurice and Ron voting yes to ratify the instituting of the burning ban on April 9<sup>th</sup> and the lifting of the same on April 23, 2012. Christine was not present for the vote. Ron said he feels it's too confusing to the public when we put the ban on, take it off, put it on, take it off... We should put it on for a specific length of time so people will know when they can and when they can't burn. Dorothy Stark said people should use common sense and not burn when it's so windy, too. No action was taken at this time.

On motion of Maurice, second by Jack, it passed with Ron and Cheryl voting in favor to hire Hunter Allen as a back-up recycling attendant at minimum wage contingent upon receipt of his working papers. Christine was not present for the vote.

On motion of Cheryl, second by Ron, it passed with Maurice and Jack voting in favor of issuing a tax refund to Helene/Steven Rouse for 115 days of 2011 because of flood damages to their home. Robin will have Ginger calculate the amount according to the letter from Bradford County Assessment. Christine was not present for the vote.

Robin had received a request from Sue Williams on Wildwood Road to see about starting an "Adopt-A-Highway" program for the township, as she and another neighbor are interested in 'adopting' Wildwood Road. Ron had talked about starting something like this a while back, but no action was taken. Discussion was held. On motion of Ron, second by Cheryl, it was unanimous to have John Thompson draft guidelines for this type of program for the township roads for our next meeting.

Robin announced that Ed Reid had passed his exam to become our Certified Floodplain Manager – congratulations, Ed! We have received a notice from FEMA for a meeting concerning the new digital flood maps for the township and Robin suggests Ed be the one to attend this meeting. On motion of Ron, second by Maurice, it was unanimous to have Ed attend this meeting on May 3<sup>rd</sup> from 6 – 8 PM in Towanda.

Robin received an email from John Ambrusch of Bradford County Emergency Management concerning his drafting of a debris management plan for the County. He asks each municipality to identify a large area within their boundaries that debris can be taken during an emergency event to be sorted and then taken for disposal. Discussion on this matter was tabled at this time.

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Larry submitted 2 estimates for computer hardware for the police office – one estimate is for equipment that will be 100% reimbursed by the AG's office in the amount of \$3309 and the other will be paid from his equipment budget in the amount of \$4144. On motion of Ron, second by Jack, it was unanimous to approve these purchases.

On motion of Ron, second by Maurice, it was unanimous to accept the estimate in the amount of \$1148 for replacement of the awnings over the police doors. Ron said we need to find out what is causing the leaks on the overhang at the main door. Robin said we have it repaired, then the birds peck at it and it leaks again, we fix it, they peck it, etc. Christine asked why the roof has never been fixed in the garage and Robin said because we do not have a spec that we can advertise. No action was taken.

Robin has been asked to facilitate the Secretary Roundtable at the Equipment Show on September 13, 2012. On motion of Ron, second by Maurice, it was unanimous to send Robin to do this.

Maurice read the totals from the monthly reports. Jack said that on the east side of the township, Chesapeake has been doing a lot to improve the roads – all but Brown Road. They have made pretty passable roads. He was surprised and pleased. His only thought is that he doesn't want to lose that. Since they've invested in the base, he wants to put an oil and chip surface on that. He wants to enter into a campaign to pave those over in the next 2-4 years. Ron asked Eddie when they will be coming back to the Sunnyfield Drive neighborhood and Eddie said in a month or so. Ed said right now they're doing Sayre Hill Road. Christine asked if we need a motion for the reports. On motion of Christine, second by Cheryl, it was unanimous to accept the monthly reports as presented.

Maurice asked if there was anything else at this time. We need to finish the agenda items on page 1 and go to page 2.

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

Correspondence/Information was as presented in the meeting agenda.

Christine asked how much it costs to pave. Jack said it used to be \$5000/mile, but now it's up around \$15,000 - \$20,000/mile. It varies with the cost of oil.

Chairman Fay took the Board into executive session at 8:46 PM for personnel and pending litigation issues. The regular meeting reconvened at 11:07 PM.

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On motion of Cheryl, second by Maurice, it was unanimous to have Attorney Thompson file an appeal of the Zoning Hearing Board Advanced Auto zoning decision of April 24, 2012 and to obtain a transcript of the hearing.

On motion of Jack, second by Maurice, it was unanimous to send the tower lease agreement to the Sayre Area School District to sign and return before we execute it.

On motion of Maurice, second by Jack, it was unanimous to have John Thompson send a letter to Larson Design Group in response to the letter they sent regarding Chesapeake's request to only have to pay for a small percentage of the traffic lights required because of their development on Mile Lane Road. The Board said no to their request.

Maurice asked Ron if he would meet with Larry to draft a Memorandum of Understanding for his employment for 2012. Maurice is in charge of Police, but he said he's too close to the department. On motion of Cheryl, second by Christine, it was unanimous to have Ron meet with Larry on this.

On motion of Cheryl, second by Ron, it was unanimous to have Ruth pay the insurance bills for Blue Cross Traditional, United Concordia and Blue Cross Vision for the month of May because Larry has been asked for additional information on his family before the Teamsters insurance will accept all the family members.

On motion of Jack, second by Maurice, it was unanimous to hire Eric Benjamin for the Public Works position vacated by Bob Birks, contingent upon drug and background check clearances, and with a 1-year probation period.

On motion of Maurice, second by Jack, it was unanimous to have Jack Walter hire 2 part-time people for the patching crew at a rate of \$10/hour, if available.

On motion of Jack, second by Maurice, it passed with Christine voting in favor of appointing Randy Harford as the Assistant Foreman. Cheryl and Ron voted no.

There being no further business, on motion of Jack, second by Maurice, it was unanimous to adjourn the meeting at 11:12 PM.

Respectfully submitted,

Robin L. Smith  
Secretary



ATHENS TOWNSHIP SUPERVISORS

May 30, 2012 7:00 PM

(Executive Session was held at 6:30 PM for Public Works contract negotiations)

Chairman Maurice Fay called the meeting to order at 7:13 PM. Supervisors also present were Jack Walter, Ronald Reagan and Christine Vough. Cheryl was at an awards ceremony at school for her son and will be late). Solicitor John Thompson and Secretary Robin Smith were also in attendance.

Bids were opened for the 500 tons (+/-) R-4 rock and 300 tons (+/-) R-8 rock, delivered, and were as follows:

FS Lopke Contracting	R-4: \$18.00/ton	R-8: \$28.00/ton
S. Andrulonis Enterprises	R-4: \$26.73/ton	R-8: no bid

On motion of Jack, second by Maurice, it was unanimous to accept the bid of F. S. Lopke for these items.

Voice of the Residents:

Susan Loomis of Winslow Street presented a list of questions to the Board that she would like to have answered. John Thompson will prepare an answer from the Board.

Diane Blasi was unable to attend the meeting tonight, but had dropped off information to Robin and asked her to present it to the Board on her behalf. Robin passed out the information, which was in regards to the FEMA Housing Facility off Wilawana Road. Robin had emailed Diane's concerns to FEMA and they are working to resolve the issues. On motion of Maurice, second by Ron, it was unanimous to have Robin continue to work to resolve this with FEMA.

Shelly Northrup of Sayre asked if public comment would be taken during the Planning Commission portion of the meeting, and it will.

On motion of Jack, second by Ron, it was unanimous to approve the minutes of April 25, 2012 as written.

Richard Bean was present for the Parks and Recreation Commission. He has an Eagle Scout project proposed to construct 2 sandboxes in Round Top Park – one on each level. Another Scout is also interested in doing something in Round Top. Richard said he will be following up with the Fish and Boat Commission about the boat landing. The residents of East Athens will be starting the landscaping in the Jim King Memorial Park. Chesapeake is continuing to repair their damage to Tozer's Landing Boat Launch – Ed is working with them on this. Richard asked when the road crew will get the concrete blocks places by the back gate in Round Top. Jack said he didn't know we were doing

that. Maurice said they haven't gotten to it yet, but they will. Richard would also like to see a speed limit reduction on Glen Valley Road. Jack asked if the police can enforce it and Maurice said there's no place to set up Vascar. Christine asked if the police could just sit there, as people do slow down when they see a police car. She thought we were going to put up signs. On motion of Ron, second by Jack, it was unanimous to send a letter to PennDOT, asking them to do a traffic study to see what can be done to reduce speed and increase safety on this road. Richard said the wetlands near the Round Top Pond can't be touched, so they will not be able to enlarge it as much as they'd planned. They will be dredging it to 14 feet and enlarging it a little bit. It will be \$200,000 for the work. A composting toilet will be about \$60,000 and a pavilion about \$20,000. Robin asked if this will have a handicap accessible dock and Richard said yes – everything over there will be handicap accessible.

Mike Spolar had been in attendance to present the work that Midland Asphalt plans to do for the township this year, but he left.

Ray Brobst was not present at the meeting tonight.

On motion of Jack, second by Christine, it was unanimous to have Ray get the data needed to Robin to bid what materials he still needs for this year.

John Thompson said he needs to meet with Jack again before he can continue work on the Roadway Undercuts and Borings ordinance.

Ron said he had talked to Tri-County Electric (when they responded to Murray Creek Road by Ed Hiley's for the pole that was snapped when Ray hit the guy-wire with the stone rake) about moving the guy-wire for that pole out of our roadway. He would like to follow-up with a letter. On motion of Jack, second by Ron, it was unanimous to have Robin send a letter to follow up on this issue.

Maurice was approached by a resident who is worried about engine brakes on Sayre Hill Road and Moore Road now that a gas well pad has been located there. Maurice would like us to prohibit the engine brakes in this area. Ron said it's all downhill in that area. Maurice had asked Robin to check into what needs to be done for us to do this. Robin checked with our Municipal Services rep, who said we would have to hire an engineering firm to do a study to let us know how/if we can do this. If we do it without an engineering study, we will assume all liability for any accidents that occur because a truck was prohibited from using its engine brakes. Robin asked if they would be coming in on the 'downhill side' and they will be. (Cheryl Wood-Walter arrived at 7:35 PM). Maurice said he thinks we should hire an engineering firm and get the signs up. Robin asked if the Board would like to find out what the cost of the study would be first. Ron

said we should price it out. Robin asked from 'where' to 'where' and the study area will be from the Litchfield line on Sayre Hill Road to the well pad on Moore Road. On motion of Maurice, second by Jack, it was unanimous to get a cost for this study.

On motion of Maurice, second by Ron, it was unanimous to have the Public Works Department go back to working their hours of 7 AM to 3:30 PM with a half-hour lunch.

Robin reported that the engineering company for the Thomas Avenue Bridge project has sent out the surveys to determine the traffic usage on the bridge, and we received one to complete. Jack will try to come in and help Robin complete the survey. The company will also be holding the public information meeting for this project at our July 25, 2012 meeting.

On motion of Jack, second by Maurice, it was unanimous to have the committee review the Statements of Interest for the Construction Inspection Engineer for the Road C project and make their recommendations.

Dr. Patrick Musto was present to report for the Athens Township Authority (ATA). He requested that ATA be contacted when a residential building permit is issued on public sewer so they can be sure the people connect properly. He asks the same for any apartment conversions and any RV connections. Code Inspections, Inc. would be the permitting agency for some of these, and we will make them aware as well. Dan Stark of Clinton Street asked how they're coming along on the Valley Joint Sewer upgrade and Dr. Musto said they hope to have the big tank in by December. Dan asked whether composting would be resuming at the plant after that and Dr. Musto said this upgrade will be a whole new process and they will not have composting any more. They gave their composting equipment to Sayre.

On motion of Ron, second by Jack, it was unanimous to sign the sewage postcard mailer for Chesapeake Phase III.

Discussion was held on the mailer for the Senior Health/Personal Care Home project. John Thompson said they have now added a second phase to this project and a third phase is also coming in the near future. This was not brought forward when we held their Conditional Use Hearing for the construction of a nursing home only on this property. Everything that was presented that night has now been reconfigured to accommodate a second building for a personal care home. John recommends they come back to us for a modification to the Conditional Use before any further action is taken on this project. He also has concerns with the number of primary uses proposed for this lot. On motion of Ron, second by Jack, it was unanimous to have Senior Healthcare Solutions come back



for another Conditional Use hearing before we proceed any further, and we will not sign the postcard mailer at this time.

Robin advised the Board that Comfort Inn and Suites did not record their subdivision before the 90-day deadline, so they have resubmitted the subdivision for reapproval tonight. On motion of Ron, second by Jack, it was unanimous to grant preliminary and final plan approval to this subdivision.

Next was the Walmart Supercenter land development to be located at 1887 Elmira Street. Planning Commission had reviewed this at their meeting and listed the following deficiencies:

- 1) Need approved PennDOT Highway Occupancy Permit
- 2) Need approved Township driveway permit(s)
- 3) Need sign package and permits
- 4) Need to change parking counts
- 5) Final signatures needed on plans
- 6) Developer's Agreement and Line of Credit need to be submitted & approved
- 7) Subdivision needs to be recorded

John said he had received the draft developer's agreement but he needs to sit with Ed and make sure everything is covered (stormwater, street improvements, utilities, etc.).

Chairman Fay recessed the regular meeting at 8:10 PM to hold a public hearing on this issue. Susan Loomis of Winslow Street asked if they have received their PennDOT approvals and Skip Schneider of CEI Engineering said not yet. There being no further comment, the regular meeting reconvened at 8:11 PM. On motion of Ron, second by Cheryl, it was unanimous to grant final plan approval to this project, contingent upon the above-listed deficiencies being met.

Candlewood Suites & Restaurant subdivision-by-lease was presented for review. This will be located on Elmira Street across from Aldi's and next to Dunkin' Donuts. All deficiencies have been met. Chairman Fay recessed the regular meeting at 8:15 PM to hold a public hearing on this issue. There being no adverse comment, the regular meeting reconvened at 8:16 PM. On motion of Ron, second by Jack, it was unanimous to grant preliminary and final plan approval to this subdivision-by-lease.

Next was the Candlewood Suites and Restaurant land development on Elmira Street. This will be a four-story, 95-room extended stay hotel with a high turnover, sit-down restaurant similar to a Chili's or a TGI Friday's, etc. Cheryl asked if they have done soil testing on this site and Jamie Genzel, engineer for the project, said they have done the

soil testing and this building will require a “non-conventional foundation” that goes all the way down to “native ground”. Cindy Parrish, Assistant Zoning Officer, said the plans that Planning Commission reviewed were for an 85-room hotel, not a 95-room hotel. Robin asked if this increase in rooms would affect the EDU’s or parking spaces and Jamie said it wouldn’t, as it was based on the hotel in Big Flats that is the same size (95 rooms). Chairman Fay recessed the regular meeting at 8:35 PM to hold a public hearing on this issue. There being no adverse comment, the regular meeting reconvened at 8:36 PM. Ron asked our review engineer, Skip Schneider, about the deficiencies he found and he said they were minor changes that needed to be made. On motion of Ron, second by Christine, it was unanimous to waive the requirement for an engineer’s raised seal on the plans and to grant preliminary approval ONLY subject to the deficiencies noted below:

- 1) Room count changed to 95 rooms
- 2) Sign package to be submitted for approval and permit
- 3) C11 still says “Final” plan – correct to “Preliminary”
- 4) Show that lighting spillage is contained to the property
- 5) Approval from ATA and DEP for sewer
- 6) Provide retaining wall designs with PE signature and seal
- 7) Provide cost estimate and time table for project
- 8) Approved stormwater plan with Bradford Co. Conservation District approval
- 9) C4 - add north arrow to plans
- 10) C4 – revise silt fence and proposed grading to include the excavation for the pipe at the southeast corner of the property.

The Elmira Street Dandy Mini Mart – Phase 1 CNG Fueling Facility land development at the intersection of Elmira and West Pine Streets (the old Arnold’s Truck Center) was presented for review. Dave Young of Larson Design Group presented Phase 1 of 2. The property includes four lots that will be combined into one lot. H was asked to show that a Dandy Mini Mart (Phase 2) would fit on the property. Planning Commission also requested a time line showing the 3-year time period. The PennDOT Highway Occupancy Permit has been submitted. This fueling facility will consist of 2 dispensers with 4 fueling spaces. The CNG (Compressed Natural Gas) equipment will be enclosed in a concrete block structure. Traffic circulation was designed to allow the movement of a city bus through the site. Ron asked Eric Beavers of Beavers Petroleum, Horseheads, NY, to come and explain what this is. Eric said this process pressurizes natural gas for use in vehicles. This will be a “fast fill” site, which will allow larger vehicles such as buses, etc, to fuel up 5 times faster than a normal car. The facility will also have slow fill capability for smaller CNG vehicles. It is similar to a regular gas station. The vehicle connections for filling are significantly different, so a normal car can’t fill here. The connections are also sealed so there is no chance of gas escaping. This will be an unattended, 24-hour site. PA Labor and Industry has very stringent restrictions on these

facilities. You will only be able to use this facility with a fleet card or a club card. There will be no use by the public.

Ron asked if vehicles will stack while waiting to fill, and if that will affect traffic. Dave said that is always a possibility. Jack said NTSWA was looking at this fuel. They backed off because of this project. They want to change their trucks over as it will be about half the cost for fuel. Cindy said there is the potential for this facility to exist 8 years without the Dandy Mini Mart (Phase 2). Ron said if this facility is a stand-alone facility without the Dandy, it would require a variance from Zoning Hearing Board. Jack said he doesn't see that as a problem – he doesn't see them lapsing for 8 years. Duane Phillips of Dandy Mini Marts said these projects are not generally phased. The grant they have for the CNG portion of the project expires in a month. They still have not acquired all the properties for the full build-out – they need to acquire 1 more property for Phase 2.

Chairman Fay recessed the regular meeting at 9:06 PM to hold a public hearing on this issue. Shelly Northrup of Sayre said this is a very busy intersection – traffic already backs up. Also, the school is right across the street. This is a high-pressure filling station. Eric said the compressor proposed is 150 hp. It is not yet finalized because of the Valley Energy pressures. He said there are many safety features in place to prevent any accidents. Shelly said she has concerns with emissions. Dan Stark of Clinton Street said there was a regular gas station on that corner for years – even with the school there. He's not against the concept, but thinks this would be much better suited at the Wilawana Dandy at Exit 59A off Route 17/I 86. John Baggerly of Wilawana Road said this is long overdue. It's really needed in this area. There being no further comment, the regular meeting reconvened at 9:14 PM.

Ron Reagan said Planning Commission is really upset that the township is being pushed on this because the grant is going to expire. They had 17 months to get it here. Planning Commission feels like this is a big push with their backs against the wall. They needed to take time to look at all the issues. The biggest concern is the traffic backing up at the intersection of Elmira and West Pine Streets, where we already have significant problems. We have to make sure that everything is done properly.

Christine said a person can come in and fill at their leisure – not necessarily at the backed-up traffic times. Schools across the country have CNG stations right on their property. She feels more comfortable about that. Some people have these stations right at their homes. She hears “safety” and “American made” and that's good. Shelly Northrup said a fill at home is a slow fill – not a fast fill like this.

Ron asked who the grant was through and it is through DEP. Eric said these have been around for many years – they're used at schools, airports and even hockey rinks. They

are much cleaner, with 1/10<sup>th</sup> of the emissions of gas or diesel. Philadelphia school buses have been running on this since 1995. Cheryl said CNG would be a choice over diesel. When she has bus circle duty at school, you stand in a blue cloud of diesel exhaust. Fire companies have been installing filters on their trucks to filter out emissions – they have a high rate of illness. They should do a study on bus circles. Eric said hockey rinks use CNG because it burns cleaner than propane.

Cheryl said the intersection of Elmira St./W. Pine St./US 220 has a design flaw. Heading east, the curve gives you poor sight distance. Cindy said the Zoning Office feels there are issues with traffic and feels this project needs to be sent to Zoning Hearing Board for a variance as an Automotive Service Station. Dave Young said they will be doing a full traffic impact study when the Dandy is done. Robin said at that point the traffic at the CNG station will be considered “existing traffic”..... Dave added that this facility doesn’t fit the criteria of Automotive Service Station from our zoning ordinance, which would require them to seek a variance. Cindy said it actually DOES fit the criteria, and then read the definition to the Board.

There being no further comment, the regular meeting reconvened at 9:26 PM. Ron listed the deficiencies, and said they are asking for a waiver from the sidewalk requirement. On motion of Jack, second by Christine, it was unanimous to grant a TEMPORARY waiver of the sidewalk requirement until Phase 2 is constructed, and to grant preliminary approval ONLY to this land development contingent upon the resolution of the following deficiencies:

- 1) An agreement needs to be in place to shut the CNG facility down if the Dandy is not completed in the proper timeframe.
- 2) When the PennDOT traffic impact study is done, the township wants to have input.
- 3) C2 – Zoning information still has inaccuracies
- 4) C3 – LD in legend (red) is different than on site plan
- 5) Need dimensions of signage on dispensers
- 6) Not showing any turning radii coming from northbound traffic (also concerns with more than 2 trucks waiting to turn in, traffic will block intersection).
- 7) Letter of Agreement needed from owner/developer to require a fully approved plan for Phase 2 within 3 years of the CNG station becoming operational.
- 8) Sign permit application needed
- 9) PennDOT Traffic Memo (4-13-12) compares only two fueling positions to the existing “use”. Applicant will need to agree to abide by future PennDOT requirements for the full build-out.
- 10) Section 408 of the E & S report:

- a) Summarize volume control measures in the narrative (table is acceptable)
  - b) Provide infiltration report and design rate (site specific)
  - c) Provide information on controlled discharge from swale (should infiltration fail)
- 11) C-3 Proposed contours don't connect to the existing contours. Proposed spot elevations are in conflict with the proposed contours.

On motion of Ron, second by Maurice, it was unanimous to set the date for the Chesapeake Robinson Water Withdrawal Facility Conditional Use Hearing as June 28, 2012 at 6:30 PM. John will secure the stenographer and Robin will do the legal notice.

Ron requested permission to bring Kathie Hunter back to help us work through more ordinance revisions. Things are moving so fast we can't keep up. We're also waiting to hear from the PUC on the gas changes. On motion of Maurice, second by Ron, it was unanimous to hire Kathie Hunter for further ordinance revisions.

On motion of Jack, second by Maurice, it was unanimous to proclaim June 23, 2012 as "James M. King Day" and to donate \$100 to the Jim King Run to be held on that date.

On motion of Jack, second by Christine, it was unanimous to have Robin apply for the lighting grant for the building through Northern Tier Regional Planning and Development Council.

On motion of Jack, second by Christine, it passed to approve, sign and execute the lease for the Sayre School District antenna. Cheryl was not present for the vote.

Ron presented the draft of the Memorandum of Understanding between the township and Chief Larry Hurley for the board to review so it can be approved, signed and executed at the Conditional Use hearing tomorrow night.

John Thompson looked further into the 'Adopt-A-Highway' program that PennDOT has and said it is more extensive than he anticipated. PennDOT provides safety vests, garbage bags, trash pick-up, a sign acknowledging the group, and also conducts safety training. Their program goes for a 2-year term and is done 4 times a year. We will look into it more. No action was taken at this time.

NYS Teamsters Council Health and Hospital Fund conducted an audit of the records from November, 2005 through December of 2011. The result of the audit showed that no audit liability is due the NYS Teamsters Council Health and Hospital Fund.

Maurice suggested we only need one copy of each monthly report that the Board can review at our meeting. On motion of Maurice, second by Jack, it was unanimous to require one copy of the monthly reports for the Board, and to accept tonight's monthly reports as presented.

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.

The Treasurer's Report was reviewed at this time. Payroll and Time Sheets were available for the Board's review. Attorney Carroll is currently handling the Public Works Department contract and getting clarification of the wages for Mike and Randy. Ruth requested that two authorized signatures be required on all checks – not just the Liquid Fuels checks. Discussion was held. Christine would like to require this. The remainder of the Board was not in favor of it, and no action was taken. On motion of Ron, second by Cheryl, it was unanimous to authorize Ruth to open a separate bank account exclusively for the Developers Review Engineer Retainer Fees and Invoices at C & N Bank, and to have it be either an interest-bearing checking account or a municipal free checking account. On motion of Jack, second by Maurice, it was unanimous to have the township's portion of the Thomas Avenue Bridge Replacement expenditures taken out of General Fund. Ruth also created a new line item in General Fund for Non-Resident Earned Income Tax, and will also be placing any FEMA/PEMA grant funds received from the 2011 storms in "Refunds of Prior Year Expenditures". (Funds must also be repaid to any accounts that they were taken from in order to balance the 2012 budget). The Bradford County Tax Committee's next meeting is June 20<sup>th</sup> at 7 PM in Towanda.

Correspondence/Information was as listed in the meeting agenda. Robin also reminded the Board that we have two Conditional Use Hearings tomorrow night starting at 6:30 PM.

Christine asked about the Hazard Mitigation funds. Robin said the buyouts have been approved for Round 1, but not yet for Round 2. She asked where the Hazard Mitigation funds will go, and Robin said for the buyouts. Robin asked if she meant the Public Assistance funds for road work and Christine said yes. Robin said Ruth will be putting them in the "Refunds of Prior Year Expenditures" line of General Fund, and also must repay any accounts or line items that money was taken from in order to balance the 2012 budget, as per Ruth's report. Jack asked if we had received any funds yet. Robin said we've received all the funds from the April storms, but nothing yet from the September flooding or the buyouts.

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May 30, 2012

Chairman Fay took the Board into executive session for personnel issues and pending litigation at 9:55 PM. Secretary Robin Smith was excused at this time, and the following minutes were continued by Cheryl Wood-Walter when the regular meeting resumed at 10:51 PM:

On motion of Jack, second by Maurice, it passed with Christine also voting in favor of directing Chief Larry Hurley to look for two prospective part-time police officers with the intent of hiring one. Ron and Cheryl voted no.

On motion of Jack, second by Maurice, it was unanimous to have Attorney Thompson send a letter to the Bergman Estate lawyer in response to their letter advising them that although some work has been done, the issue is not completely resolved.

On motion of Christine, second by Maurice, it was unanimous to direct Chief Larry Hurley to provide an incident report for his collision with the electric pole (was provided in the Executive Session folder for tonight).

On motion of Ron, second by Maurice, it passed to have Attorney Thompson write a letter to Hills informing them that the status of the cul-de-sac hasn't changed. Cheryl abstained because her mother is an adjoining property owner.

On motion of Ron, second by Maurice, it was unanimous to have Attorney Thompson write a letter to Landy & Landy regarding Sayre Healthcare Solutions, LLC, informing them that the Board of Supervisors is requiring them to submit an application for the modification of their Conditional Use.

There being no further business, on motion of Cheryl, second by Ron, it was unanimous to adjourn the meeting at 11:05 PM.

Respectfully submitted,

Robin L. Smith, Secretary





ATHENS TOWNSHIP SUPERVISORS  
Zoning Map Amendment Hearing  
Conditional Use Hearing  
Meeting  
May 31, 2012 6:30 PM

Chairman Maurice Fay called the meeting to order at 6:42 PM. Supervisors Jack Walter, Cheryl Wood-Walter, Ron Reagan and Christine Vough were also present. Solicitor John Thompson and Secretary Robin Smith were also in attendance.

Voice of the Residents: None

Attorney Thompson introduced the John/Laurie Merrick Zoning Map Amendment Hearing for their parcel 09-006.00-016-001-000 off Wilawana Road. This parcel was originally zoned Residential Suburban and was changed to Commercial at the Merrick's request. They are requesting that the parcel be returned to its original zoning of Residential Suburban. Laurie Merrick was present as the applicant. Attorney Thompson conducted the hearing. Edmund Reid, Athens Township Zoning Officer was present to testify for the township. Testimony was taken by Stenographer Laura Schmieder. There was no public comment. On motion of Ron, second by Cheryl, it was unanimous to grant the zoning map amendment. The roll call vote was as follows: Mr. Walter – yes; Mr. Fay – yes; Mrs. Vough – yes; Mrs. Wood-Walter – yes; Mr. Reagan – yes. The hearing concluded at 7:01 PM.

Next was the Todd/Gemma Campbell/Niagara Gas & Oil Conditional Use Hearing for a proposed water withdrawal facility to be located on the Campbell parcel #09-020.10-001-000-000 off Front Street in East Athens (the former Max Cohen property). Chairman Fay called the hearing to order at 7:10 PM, and turned it over to Attorney Thompson. Attorney Karpovich, representing the applicant, began by saying they feel the water withdrawal approval should be an accepted use, and should not need a Conditional Use. He wants to reserve that right, and was noted for the record. Attorney Thompson presented the application and submitted the exhibits. Testimony was given by Edmund Reid, Zoning Officer. Andrew Strassner was present as the applicant's engineer and Todd Campbell was present as the applicant and landowner. Testimony was taken by Stenographer Laura Schmieder. Attorney Thompson conducted the hearing. Chairman Fay took the Board into executive session at 9:35 PM for deliberation. The hearing reconvened at 10:12 PM. Attorney Thompson stated that the Board deliberated and has reached a decision. The Supervisors have indicated their intent to grant the Conditional Use with 3 conditions: 1) a land development plan is completed and approved; 2) they comply with all Athens Township Zoning and Land Development Ordinances; and 3) they anchor the tanks according to the requirements of the Land Development Ordinance. Motion was made by Jack to grant the Conditional Use with these 3 conditions, seconded by Ron, and a roll call vote was taken: Mr. Walter – yes; Mr. Fay – No; Mrs. Vough – yes; Mrs. Wood-Walter – yes; Mr. Reagan – yes. The motion passes. The hearing concluded at 10:15 PM.

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On motion of Jack, second by Ron, it was unanimous to approve, sign and execute the Memorandum of Understanding with Chief Larry Hurley for 2012.

Discussion was held as to whether our portion of the Thomas Avenue Bridge Replacement project costs should be taken out of General Fund (as was decided at the May 30, 2012 meeting) or out of Capital Purchases. On motion of Ron, second by Cheryl, it was unanimous that any expenses the township is responsible for on this project will come out of Capital Purchases and be replenished with funds from next year's budget.

Chairman Fay took the Board into executive session at 10:22 PM for pending litigation. The regular meeting reconvened at 10:37 PM.

On motion of Ron, second by Jack, it was unanimous to have Attorney Thompson work out an agreement with Advance Auto Parts that their sign be the same size or smaller in size, and that they also work with Zoning Officer Ed Reid on this matter.

There being no further business, on motion of Ron, second by Cheryl, it was unanimous to adjourn the meeting at 10:40 PM.

Respectfully submitted,

Robin L. Smith  
Secretary

ATHENS TOWNSHIP SUPERVISORS  
June 11, 2012      7:00 PM      Special Meeting

Chairman Fay called the meeting to order at 7:10 PM. Supervisors also present were Jack Walter, Cheryl Wood-Walter, Ron Reagan and Christine Vough. Minutes were taken by Cheryl Wood-Walter. Attorney Jim Carroll was also in attendance.

Voice of the Residents: None

On motion of Ron, second by Jack, it was unanimous to set the date for the Sayre Health Care Center, LLC – Nursing Home Conditional Use Hearing as July 30, 2012 at 6:30 PM.

On motion of Jack, second by Ron, it passed to hire Erik Lundberg effective June 7, 2012 as our Road B Construction Inspection Engineer at \$30/hour, to be reimbursed by Chesapeake at that rate plus our costs of paying him through our payroll. Erik will be paid \$30/hour and will not bill for mileage, nor will he receive any benefits. He will also be paid through the township payroll. Christine voted no.

On motion of Cheryl, second by Christine, it was unanimous to purchase vests for recycling attendants that say “recycling staff”.

Chairman Fay took the Board into executive session at 7:20 PM for personnel and contract negotiations. The regular meeting reconvened at 8:20 PM.

On motion of Jack, second by Christine, it passed to approve the changes to the tentative agreement for the Public Works Department that had been worked out by Maurice and Cheryl. Ron voted no. Jim Carroll will have the contract for signatures at our next meeting.

There being no further business, on motion of Jack, second by Ron, it was unanimous to adjourn the meeting at 8:21 PM.

Respectfully submitted,

Robin L. Smith (for Cheryl Wood-Walter)  
Secretary

ATHENS TOWNSHIP SUPERVISORS

June 27, 2012 7:00 PM

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

Chairman Fay recessed the regular meeting for an executive session with the Athens Township Police Department at 7:02 PM for a contract issue. The regular meeting reconvened at 7:30 PM. Ron Reagan had left the executive session and did not return for the regular meeting or the executive session at the end of the regular meeting.

Bids were opened for the 4000 Tons (+/-) Dirt and Gravel Road Driving Surface Aggregate delivered to the job site and installed with a paver and an operator, and were as follows:

Hawbaker, Inc.	\$27.10/ton
E & J Construction	\$22.80/ton
Popple Construction	\$21.59/ton
TMT Gravel & Contracting	\$15.87/ton

The bid of TMT Gravel & Contracting was disqualified because no bid bond was submitted and the bid price did not include a paver and an operator. On motion of Jack, second by Christine, it was unanimous to award the bid to Popple Construction for this material.

Only one bid was received for fuel (Williams Oil) and was as follows:

14,000 gal. LSD diesel	\$2.9505
11,000 gal. 87 octane unleaded	\$2.8683

On motion of Jack, second by Cheryl, it was unanimous to award the bid to Williams Oil.

Voice of the Residents:

Richard Bean of Stover's Acres asked when the poplar tree at the corner of the parking lot will be taken down, as it is dangerous. Maurice said he is taking care of it.

On motion of Jack, second by Cheryl, it was unanimous to approve the minutes of May 30, May 31 and June 11, 2012 as written.

Richard Bean reported for the Parks and Recreation Commission. He has 2 Eagle projects in the works – sandboxes and mulching of playground equipment. A Girl Scout troop has also approached the Parks Commission about doing some painting in the parks as a community service project. The Tozer's Landing project is not resolved yet.

Richard has spoken with Maurice and Jack about this. The East Athens Park landscaping is being done. The King family wants to do a project for the Jim King Memorial Park. The pond project in Round Top Park came in at \$312,000, but he thinks it can be shaved down. Richard asked again about the status of placing the cement blocks at the sides of the back gate to Round Top. Jack said they will get to it. Richard said he has talked with Barry and Maurice about resetting the breakers for the electric at the pavilions on Fridays and Saturdays.

On motion of Maurice, second by Cheryl, it was unanimous to reappoint Cathy Eccker to the Parks Commission for a term to expire July, 2017.

Robin said she had been contacted by Paul Covey as a representative of Masco Cabinetry about doing a community service project for the township since they are located here. Robin told him she would bring it to the Board for ideas. Cheryl suggested maybe something at the Tozer's Landing boat launch since they are close to that. Jack said maybe they would consider trimming the trees on the south side of Round Top Park to re-open the view that has long since grown in. Robin said Paul also expressed interest in "adopting" Road C when it is finished – in the 'Adopt A Township Road' program.

Ray Brobst was not present for the Public Works Department.

Robin had been contacted about picking up the old signal masts left from the traffic signal upgrade that had just been done on Elmira Street. Jack will see that Ray picks them up along with the old street signs that were removed.

Robin contacted Rick Biery for an estimate on conducting a traffic study for engine brake retarders on the portion of Sayre Hill Road and Moore Road that was discussed last meeting. Rick said the study would probably run \$1200 - \$1800. He added that the road slope can't exceed 4% and he thinks it does exceed that. Discussion was held. We will not proceed with the study.

Discussion was held on the repair of the roof in the garage. Jack had contacted Hale Roofing from Horseheads to come look at the roof. Jason Weigand came to look at it. He is suggesting filling in the indentations on the steel roof with Styrofoam, then place a layer of insulation and cover it with rubber roofing. He talked with Robin and asked if there was a spec. Robin said we have been working this process for a very long time, and one suggestion was to bid it out as a design/build project. We had also received feedback that we should remove the existing steel roof and replace it with a new steel roof, as this roof has lasted 40 years and the rubber roofing only lasts 20 years. Because the design/build bid would bring in a variety of options, on motion of Jack, second by

Christine, it was unanimous to have Jack meet with Dawood Engineering and hire them to create a spec for us to use to bid out this roof replacement.

Clif Cheeks, Vice Chairman of Planning Commission, presented the Callear's R&R Bar-B-Que land development at 2081 Elmira Street for review and approval. Roxann Callear said they received previous approval for their subdivision a few months ago for this project. They have now added ingress and egress from Elmira Street, more parking, and have split the project into two phases. Jack asked if they would be using shrubs for screening and Roxann said they would. She hadn't priced them yet, but knew they would be evergreen. Maurice asked how high they would be when they were planted. Roxann said according to our ordinance they would have to reach a height of 6 feet within 2 years. Maurice had met with Susan Loomis and she is concerned about the screening between their restaurant development and her property. He said the concrete barriers would need to be moved as well. Clif said there will be new pavement with the project that will take care of the setback issues. Maurice said he was also concerned about the lights from the cars hitting the Loomis property. Jack suggested a 6-ft. fence might be better – and less expensive. Cheryl has the same concerns. Jack asked Ron and Roxann Callear if they would accept the fence requirement. Discussion was held. Roxann said they will do a fence if it will help to move the project along. Jack asked where a fence can be placed – on the line, several feet back, etc. Clif asked if we would be changing the ordinance now because the ordinance gives the applicant a choice of live screen plantings or a fence. Jack said we don't have to change the ordinance. He said the trees will expand and eventually take up more room than a fence would. Clif read the outstanding deficiencies, which were as follows:

- 1) Need sign application
- 2) Sign needs to be moved out of the setback at the east end of the property
- 3) Screening needs to start at the front southeast corner of the existing restaurant
- 4) Need HOP permit from PennDOT
- 5) The existing entrance off Winslow Street needs to be made one-way heading south.
- 6) A 6 ft. fence needs to be installed as screening instead of shrubs

Susan Loomis of Winslow Street looked at the maps and has concerns with the lighting, and whether or not this development will affect her well as it's only 31 feet deep. Jack said it is being built-up all around her and she may want to go on public water. She asked why she should have to pay for that – she has good water. She was also concerned about parking on Winslow Street. Maurice said the Walmart plan calls for No Parking on the north side of Winslow Street, so that should take care of that. On motion of Jack, second by Christine, it was unanimous to grant preliminary approval only to Phase I of this land development, contingent upon the resolution of the 6 deficiencies listed above.

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The Whitetail Hollows Zoning Map Amendment Hearing was scheduled for August 22, 2012 at 6:30 PM. John Thompson will prepare the legal notice & secure a stenographer.

On motion of Jack, second by Cheryl, it was unanimous to pay the \$275 invoice from Suttys for repair of the police cruiser instead of turning it in to our insurance.

On motion of Maurice, second by Jack, it was unanimous to approve the purchase of vests for the recycling attendants from FullSource, LLC for a cost not to exceed \$229.04.

Maurice reported that he had been contacted by TodayInAmericaTV.com about doing a spot on Athens Township to show how 'small town America' is doing today with the gas business. The cost would be \$19,800. The Board was not interested in this.

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

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

Discussion was held on short and long term disability for the police department. Jack said the public works department doesn't have long term disability and we try to keep things uniform around here. Cheryl said that is a different contract and not for this discussion. Christine asked if we could add it to this motion and Cheryl said we are not discussing the public works department at this time. Christine asked if it could be a separate motion. Cheryl said if she would like to bring this to executive session they could discuss it then. On motion of Christine, second by Jack, it was unanimous to provide both short and long term disability insurance through Harleysville to the 8 officers in the police bargaining unit, with Christine making the necessary arrangements for this with Harleysville and then directing Ruth to pay the invoice.

Chairman Fay took the Board into executive session at 8:45 PM for contract negotiations. The secretary was excused. The regular meeting reconvened at 9:25 PM.

On motion of Jack, second by Maurice, it passed 4-0 to approve, sign and execute the Public Works 3-year contract between the Teamsters and the Board of Supervisors. There was no motion to adjourn, nor was there a time of adjournment noted.

Respectfully submitted,

Robin L. Smith, Secretary





ATHENS TOWNSHIP SUPERVISORS

June 28, 2012 6:30 PM

Chairman Maurice Fay called the meeting to order at 6:35 PM. Supervisors also present were Jack Walter and Christine Vough. Ronald Reagan and Cheryl Wood-Walter were absent. Solicitor John Thompson and Secretary Robin Smith were also in attendance.

Voice of the Residents: None

Chairman Fay turned the meeting over to Attorney Thompson for the Chesapeake Robinson Water Withdrawal Conditional Use Hearing. John introduced the Board to those in attendance. Josh Brown and Brian Davis of Chesapeake were present as the applicant and were requesting the hours of operation at the Robinson facility be lifted to allow the facility to be used 24-hours per day, 7 days per week. The present hours are 7 AM to 7 PM. Testimony was taken by Stenographer Linda Wettlaufer. Zoning Officer Edmund Reid was also present to testify.

Chairman Fay took the Board into executive session at 7:09 PM for deliberation. The hearing reconvened at 7:38 PM. Motion was made by Maurice to approve the operations as 24-hours/day, 7 days/week, and seconded by Jack Walter. A roll-call vote was taken and was as follows: Mr. Walter – yes; Mr. Fay – yes; Mrs. Vough – yes, with her explanation of her vote. She stated that she lives at 1057 Front Street, and she hears what the residents are saying. She sees the concerns – the safety of children getting mail from the mailboxes, getting on and off the school bus, etc. It's a simple fact that unfortunately it's difficult to come to decisions. She said some of the residents in attendance had her campaign signs in their yards. She is voting yes for the 24/7, hoping the 24-hour operations will cut down on the peak times and times of concern. She stated that her vote is yes. John Thompson said the requested relief is hereby granted. Maurice said he's hopeful that the 24-hour operation will spread the traffic out more. He knows the residents are not happy, but that's the way it's got to be. The hearing concluded at 7:43 PM.

Chairman Fay took the Board into executive session at 7:44 PM for pending litigation. The secretary was excused from the session, but asked to stay to take minutes after the session. The regular meeting reconvened at 8:18 PM.

On motion of Jack, second by Christine, it was unanimous to withdraw the Township's appeal of the Advance Auto Zoning Hearing Board decision. It was also decided to hold off on Gastl until Attorney Thompson gets more information. The Campbell decision needs to be signed. John is waiting for the final version of the Walmart developer's agreement.

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

Respectfully submitted,

ATHENS TOWNSHIP SUPERVISORS  
July 25, 2012 7:00 PM

Chairman Maurice Fay called the meeting to order at 7 PM. Supervisors also present were Jack Walter, Cheryl Wood-Walter and Christine Vough. Ron Reagan was out of town. Attorney John Thompson and Secretary Robin Smith were also in attendance.

Chairman Fay recessed the meeting to hold a public hearing for the Thomas Avenue Bridge Replacement Project at 7:01 PM, and turned the meeting over to the engineering firm of Borton-Lawson. Scott Shimko, Project Manager, gave the overview of the project. Five alternatives are proposed and were explained by Scott. The purpose of the hearing tonight is to find what the needs of the community are to help decide which alternative will be the best fit. The bridge was built in 1920 so it is eligible for the National Historic Register. At its last inspection in 2011, the physical condition was listed as poor. The bridge also prohibits pedestrians and is one-lane. Their study showed approximately 2000 vehicles per day. This is also in a FEMA special study area. The cost of the bridge will be funded at 80% Federal, 15% State and 5% local. Preliminary engineering should conclude in 2012. Construction should be in the Spring of 2016. Questionnaires were sent out to assess the needs of the community and about half of them have been returned.

Dan Stark of Clinton Street asked how far back they need to go to widen the road for 2 lanes. John said far enough to eliminate the “bottleneck”. John Baggerly of Wilawana Road asked what the costs of the different alternatives were, but they had not calculated that yet – this hearing is just to gather the needs of the community. John said it would just be a waste of time to put back a one-lane bridge. Lloyd Davis asked about the 2011 bridge inspection with a condition of “poor”. Jack said we’ve repaired the bridge twice recently. We had to replace a lot of purlins – Robin thought about 18 of them. Robin added that after that inspection we were told we would need to do an immediate 10-ton posting for the bridge or close it completely until it was repaired. We posted it for 10-tons and were told to remove the weight restriction after the repair had been completed. The bridge is inspected every 2 years. One resident thought it would be good to keep that bridge in use for pedestrians and bicyclists and build a new bridge for traffic.

There being no further comment, the hearing concluded at 7:21 PM. Chairman Fay reconvened the regular meeting at 7:22 PM.

Voice of the Residents: None (Mr. and Mrs. Hill were not in attendance)

On motion of Jack, second by Cheryl, it passed to approve the minutes of June 27<sup>th</sup> and June 28, 2012 as written. Christine abstained because she said she didn’t get the minutes and had not read them.

Richard Bean was on vacation. Robin told the Board that PENNDOT was reviewing our request to do a traffic study for safety and speed on Glen Valley Road by the park. Maurice said we can’t use radar so it’s hard to enforce, but we will try to control it.

John Wilkinson said the carousel on the playground at Round Top Park has a bad bearing and it can't rotate any more. Robin will let Barry know so he can take a look at it.

Ray Brobst did not come to the meeting, so Maurice said there's no need to review the items under Public Works without him. Robin said we should to #4 and #6 as they require action from the Board. On motion of Jack, second by Cheryl, it was unanimous to approve, sign and execute the proposal from Dawood's architect to draft a spec for the roof repair in the amount of \$1,187. Discussion was held on the three quotes received for the concrete footers for the Meadowlark bridge. It was decided to postpone any action on these quotes until our meeting on Monday night.

Clif Cheeks was present for Planning Commission and presented the Chesapeake Athens Office Complex, Phase 6 subdivision-by-lease for preliminary and final plan approval. All deficiencies have been met. Chairman Fay recessed the regular meeting at 7:31 PM to hold a public hearing on this issue. Shellie Northrup of Sayre asked how they will access this property and was told it would be via Road B. There being no further comment, the regular meeting reconvened at 7:33 PM. On motion of Jack, second by Christine, it was unanimous to grant preliminary and final plan approval to this subdivision-by-lease.

Next was the Chesapeake Athens Office Complex, Phase 6 CNG Facility land development. Clif said there were originally 20 deficiencies, but the only one remaining is the sign package and permit. They will need that before the project can go operational. Planning Commission recommends preliminary approval. Chairman Fay recessed the regular meeting at 7:35 PM to hold a public hearing on this issue. There being no adverse comment, the regular meeting reconvened at 7:36 PM. On motion of Jack, second by Christine, it was unanimous to grant preliminary approval only to this land development, contingent upon resolution of the one deficiency.

Clif presented the Chesapeake Athens Office Complex, Phase 1 land development for final plan approval. There were 15 deficiencies originally and there are 3 remaining:

- 1) The tract map does not show the adjoining property owners
- 2) Parking spaces are striped, but do not match the as-built drawings.
- 3) Lamoka Road has spots of erosion that need to be repaired.

Jack Walter said there is a lot of water that comes off the hill. He wants them to raise the manholes to keep the water out. They need an 18" berm on the road. Michael McDonnell of Larson Design Group said he thinks Jack is talking about Road B, not Lamoka Road, which he was. Chesapeake said they will stabilize the spots on Lamoka Road. Chairman Fay recessed the regular meeting at 7:43 PM to hold a public hearing on this issue. There being no adverse comment, the regular meeting reconvened at 7:44 PM.

On motion of Christine, second by Jack, it was unanimous to grant final plan approval to this land development, contingent upon resolution of the three deficiencies.

Last was the Niagara Gas & Oil Services, Inc./Susquehanna Water Withdrawal land development on the old Cohen site. There were 23 deficiencies, and 6 remain:

- 1) Identify the radius on the entrance
- 2) Zoning information (requirements) not on the plan
- 3) No 'will serve' letter from Penelec
- 4) Need HOP permits for the entrance and the exit
- 5) No lighting plan with detail
- 6) If there will be signage, a permit will be needed.

John Thompson asked how much of the Sheshequin Road access will be paved and Clif said about 100 ft. from Sheshequin Road. Jack asked if SRBC was OK with this since there was another site adjacent to this one and they are OK. Planning Commission recommends preliminary plan approval contingent upon the resolution of deficiencies. Todd Campbell said they may be paving further than the 100 ft. because the designs are changing with PENNDOT. Clif said Ed Reid submitted a letter expressing concern that the area being built-up for the Sheshequin Road access could potentially create a coffer dam, and he would like to see a sluice pipe under that section. Todd said his engineers and DEP have looked at this situation and do not feel the sluice is necessary. The property itself has already been raised as well. Maurice thinks we need to send this back to Planning Commission. Cheryl said that's a good suggestion as they don't appear to have a completed plan. Maurice said there's still too much lacking. Christine asked how long it would take to make the required corrections and Todd said they could have them tomorrow morning. On motion of Jack, second by Cheryl, it was unanimous to table this land development until the required information is received and it goes back to Planning Commission.

On motion of Jack, second by Cheryl, it was unanimous to change the name of King Lane to King Road.

Robin received a request from the purchaser of the Merrick property to change the name of the access road from Merrick Lane to Dawson Lane. Discussion was held. Cheryl was concerned that every time a property changes hands the new property owner will want to change the name of the private road. Who pays for all these road signs? Robin explained that the signs are purchase by the resident and the township installs them. On motion of Jack, second by Cheryl, it was unanimous to approve the name change of Merrick Lane to Dawson Lane.

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On motion of Jack, second by Cheryl, it passed to approve, sign and execute the sewage mailer for Sayre Health Care, LLC after their Conditional Use hearing on July 30, 2012 if the use is approved. Christine abstained from the vote.

On motion of Jack, second by Cheryl, it was unanimous to ratify Barry's 3 days of bereavement pay on July 9-11 for the loss of his Mother-in-Law, Millie Simons.

On motion of Jack, second by Cheryl, it was unanimous to ratify the burning ban that was put in effect on July 10, 2012. The ban is in effect until further notice.

Discussion was held as to a donation in memory of Brian VanFleet who just passed away on July 14<sup>th</sup> after a hard battle with leukemia. He was 27. Cheryl excused herself at this time. Brian was Officer Tom VanFleet's brother, Supervisor Cheryl Wood-Walter's nephew, and former township auditor Sharon VanFleet's son. On motion of Maurice, second by Jack, it was unanimous to send a donation of \$100 to Visions Federal Credit Union, 2121 Elmira Street, Sayre, PA, 18840 RE: College Fund for Elaina.

On motion of Maurice, second by Jack, it was unanimous to send a letter to Athens Borough confirming the fact that we agree to continue discussions with them concerning their contracting with the township for police services.

On motion of Maurice, second by Jack, it was unanimous to send Ed to the Public Information Officer class in Montoursville on September 29<sup>th</sup> & 30<sup>th</sup>, to pay his reasonable expenses, and to have him take 2 days off during the week prior to the class or the week after the class for having to attend the weekend class.

On motion of Jack, second by Christine, it was unanimous to have Ed attend the "Managing Floodplain Development through the National Flood Insurance Program" class September 17 – 20 at the Best Western in Sayre as part of his certification requirements as our floodplain manager.

Robin reported that we received the decision from Bradford County Court of Common Pleas on the Simonds appeal and the Court upheld the Supervisor's decision. Robin added that Simonds will be submitting another application for the same thing.

On motion of Jack, second by Cheryl, it was unanimous to pay the invoice for General Code for hosting our township code online.

On motion of Maurice, second by Cheryl, it was unanimous to deny the request for another tutor to use our meeting room 2 mornings a week because we are too busy to accommodate this.

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On motion of Cheryl, second by Maurice, it was unanimous to waive the zoning permit fee for the Guthrie Weight Loss Center "Walk From Obesity" to be held at Round Top.

John Thompson presented a draft agreement for the Adopt-A-Road program and also the Chesapeake/Robinson decision for the board to review for their meeting on Monday.

Robin requested that Attorney Thompson look at the Act 13 requirements for ordinance revision adoption to clarify the deadline (August or December). The Board would like him to do this.

John Thompson said the issue of the very substantial IRS lien on the Gastl property was satisfied on June 8<sup>th</sup>. On motion of Maurice, second by Cheryl, it passed to have Ruth do a check for \$1000 for a Writ of Execution on this property, with Christine voting no.

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

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

Correspondence/Information was as listed in the meeting agenda.

Maurice said Elaine approached him about the lateness of the Planning Commission meetings. She does not want to work past 9:30 PM. Maurice said that one of the women - Mrs. Stromick or Mrs. Carling - could take the notes after 9:30 PM. Robin asked why 'the women' and Maurice said because they write neater and pay better attention to detail. Maurice made the motion that Elaine doesn't have to work past 9:30 PM and that one of the women could take notes after 9:30 PM. Cheryl said she would second the motion if Maurice changed it to "the Chairman of Planning Commission appoint someone to take the minutes after 9:30", which he did. The vote was unanimous.

Chairman Fay took the Board into executive session at 8:45 PM for personnel and pending litigation. The secretary was excused, and Cheryl Wood-Walter took the remaining minutes when the regular meeting reconvened at 10:15 PM.

On motion of Jack, second by Maurice, it was unanimous to reinstate the Accidental Death and Dismemberment insurance as of August 1, 2012 with Harleysville Insurance, and directing Supervisor Vough to follow through with this.

On motion of Maurice, second by Christine, it was unanimous to table the bids for concrete until our July 30<sup>th</sup> meeting.

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The Hill issue was discussed. No action was taken at this time. Motion by Maurice, second by Jack, directing Attorney Thompson to write a letter to Dr. and Mrs. Hill informing them the Board will not take action at this time. The motion passed with Cheryl abstaining as her mom is an adjacent property owner.

On motion of Maurice, second by Jack, it was unanimous the Secretary get prices on replacement chairs for the meeting room for budget discussion in September.

There was no motion to adjourn, and no adjournment time recorded.

Respectfully submitted,

Robin L. Smith  
Secretary

ATHENS TOWNSHIP SUPERVISORS  
Conditional Use Hearing and Meeting  
July 30, 2012      6:30 PM

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

Voice of the Residents:

Pam Arnold said she lives in the area and says there is a lot of truck traffic – particularly at the corner down there (meaning the corner of Wilawana Road and Mile Lane Road). She is worried about a head-on there. They're going much faster than the speed limit. Trucks aren't all tarped and she's had 2 broken windshields in 2 months. Maurice said PennDOT is aware of this – it's a PennDOT problem. Robin said there's a possibility of a traffic light at that intersection in the near future. Pam would like to see more enforcement from the police department. Cheryl said the curve there is deceiving – people need to slow down and they don't realize it. Pam said there was just a frack truck rollover there – no leakage, but..... She's glad to hear something is being looked at for that area.

Chairman Fay turned the meeting over to Attorney John Thompson to conduct the Sayre Health Care Center, LLC modification to their original Conditional Use hearing of February 9, 2012. Phase 1 of their project had been granted the Conditional Use at that time, and now they are adding Phase 2. Attorney Damian Rossettie represented the applicant, Michael Kelly, who is President of Sayre Health Care Center, LLC. Gary Burcher was present as engineer for the project. John introduced the Board to those in attendance. Secretary Robin Smith and Assistant Zoning Officer Cindy Parrish were also present. Testimony was taken by Stenographer Laura Schmieder. Chairman Fay took the Board into executive session at 7:40 PM for deliberation. The hearing reconvened at 7:49 PM. On motion of Ron, second by Jack, it passed to grant the modification to the Conditional Use as requested. Christine Vough abstained.

On motion of Ron, second by Cheryl, it passed to approve, sign and execute the sewage mailers for both phases. Christine abstained. Both had been approved previously by Athens Township Authority.

Clif Cheeks was present from Planning Commission to have the Board review the Niagara Gas and Oil water withdrawal facility revisions and to bring us up-to-date on the deficiencies. Todd Campbell was present representing Niagara Gas and Oil. Todd said there will be no lights or signs with this project. The 2 HOPs have been applied for. They have revised the blacktop area to show it from Sheshequin Road down to the flat area. A note was left on the plans in error, and Todd will draw a line through that and initial/date the correction. The will-serve letter from Penelec has been submitted, and the zoning information has been added to the plan.



The one problem remaining is the radius at the intersection of the entrance road and Front Street. The radius is supposed to be 15 and is listed on the plan as 10. Discussion was held. There is not enough room to get the 15. One of the options would be to do one way access. Another would be to request a variance from the township requirements from Zoning Hearing Board. Another would be not to modify the driveway at all and let it remain grandfathered. Christine asked if we can override the Zoning Hearing Board decision if they deny the variance, and we cannot. Discussion continued. Todd is requesting to be able to begin the installation of the waterline now, while the river is low, and to be able to receive creek gravel to be used with the installation. He would not develop any other part of the property/project until the access issue was resolved. On motion of Ron, second by Jack, it was unanimous to grant preliminary plan approval to this land development contingent upon the resolution of the Front Street (SR1056) access issue by securing a variance or complying with the township Zoning Ordinance; but allowing Niagara Gas and Oil to commence with the water line installation now and allow the receipt of gravel for that purpose only, with no other development to occur until the access issue is resolved.

Robin said anyone planning to attend the COG dinner needs to let her know so she can make the reservations. Jack Walter, Ron Reagan and Shelly Reagan will attend.

Robin said PennDOT has completed their in-depth traffic study of Glen Valley Road and said they will not approve a speed limit reduction. They suggest we use enforcement to control the speed. They did, however, approve the "Watch Children" signs for Wolcott Hollow Road by the McCloe Trailer Park. We will need to purchase them and install them. Robin will have Ray order the signs and get them up.

Robin received notification that we are due for our water backflow prevention device test. We can either have Aqua do it and charge us for it, or have Jeff Paul Plumbing do it for us and charge us – he was the one who installed it. On motion of Maurice, second by Jack, it was unanimous to have Aqua do this for us.

On motion of Cheryl, second by Jack, it was unanimous to have John Thompson prepare the ordinance for our next meeting to change King Lane to King Road and to change Merrick Lane to Dawson Lane.

Discussion was held on the concrete quotes for the installation of the footers for the Meadowlark Drive bridge. Ray Brobst secured three quotes, which were as follows: Cotton's Concrete - \$17,865 (with township to do all excavation); Vought Construction - \$17,325 (excavation included); and J & D Ward Contracting - \$11,900 (no mention of excavation). On motion of Jack, second by Christine, it was unanimous to accept the bid of J & D Ward, and to let them use Randy if they need to.

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On motion of Jack, second by Christine, it was unanimous to approve, sign and execute the decision for the Chesapeake Robinson Conditional Use. John will get Robin a copy of the fully-executed decision for the file.

On motion of Ron, second by Maurice, it was unanimous to approve the Adopt-A-Road program rules and form and to order vests and gloves for the volunteers to wear.

On motion of Jack, second by Christine, it was unanimous to have Maurice sign the mylars for the Walmart traffic signal when they are approved by PennDOT and delivered by Skip Schneider.

Discussion was held concerning the meeting with the union about hiring part-time officers. Robin said we are looking at the week of the 13<sup>th</sup>. Cheryl isn't available after 2 PM on Tuesday, the 14<sup>th</sup>, and Larry isn't available at all on Friday, the 17<sup>th</sup>. Maurice said Larry doesn't have to be there and Cheryl said he does, because he does the scheduling. We are hiring part-timers only to fill in when needed, not on a regular basis. Maurice wants Keith to be there, too. Ron said we certainly should have the shop steward there. Maurice said we don't want to have to pay benefits. Ron asked what happens to the part-time officers when we go to Athens Borough? Christine said she was OK with any date at night, but if it was a day meeting, she would have to make arrangements at work. Robin will get back to Larry and Jim Carroll to finalize a date and time.

Robin received an email from Valorie with a request from Athens Township Authority for us to pay for a manhole cover replacement in the amount of \$1950 on Bressler Street because it was a "road repair issue". We have not done any roadwork on Bressler Street this year so this was not caused by the township. On motion of Jack, second by Maurice, it was unanimous not to pay for this repair because it was not caused by the township and was not a "road repair issue". Robin will advise ATA.

Robin advised the Board that Governor Corbett is appealing the recent Commonwealth Court decision striking down zoning provisions included in Act 13.

Discussion was held to set a date for the Simonds Conditional Use hearing. The Bradford County Court of Common Pleas recently ruled on the appeal filed by Simonds and upheld the decision of the Board of Supervisors, which denied the first application. They are now filing a second application for this same gravel mine. The date of September 19, 2012 was chosen with the hearing to be held at 6:30 PM. John Thompson will secure a stenographer and Robin will do the legal notice.

Maurice wanted to discuss employees responding to fire calls during working hours. Eric Benjamin left work to respond to a fire call in Ulster, without permission, and Ray did

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not approve payment for the time (Eric is also a member of the Ulster Fire Company). Maurice would like to see us only allow employees to leave the job for a second alarm for manpower for a structure fire in Athens Township. Motion was made by Maurice and seconded by Jack to only allow employees to leave the job when there is a second alarm for manpower for a structure fire in Athens Township only. Discussion was held. Christine asked if anything was negotiated into the union contract for this and it wasn't – nor has it ever been. She then asked if the motion passes, are we liable? Maurice said we already pay for the fire company's Worker's Compensation insurance. Ron asked why just a second alarm - why can't we give up a guy once in a while. Robin said our present policy that we have in place allows firefighters to respond during working hours to structure fires only, and only if they are not in the middle of something like paving where they would be needed. On motion of Maurice, second by Jack, it was unanimous to revise the previous motion to say that any employee of the township who is a firefighter or fire police may respond to a structure fire in Athens Township only, during working hours.

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

Respectfully submitted,

Robin L. Smith  
Secretary

ATHENS TOWNSHIP SUPERVISORS  
August 22, 2012 6:30 PM  
Zoning Map Amendment Hearing and Meeting

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

Voice of the Residents:

Dr. and Mrs. Hill were present with their attorney who spoke on their behalf about their issues with the cul-de-sac on Shuman Hill Road. Chairman Fay said we will bring this up at our next regular meeting.

Harmon Kelley presented a petition to the Board regarding the proposed rezoning of the Whitetail Hollows parcel located on Pump Station Hill Road. He said many people are against the rezoning. He is right next to it. He stated several of his concerns with the development of this parcel. He does not think this should be rezoned.

Chairman Fay recessed the meeting at 6:46 PM to hold the Whitetail Hollows Zoning Map Amendment Hearing. They are requesting to have their parcel on Pump Station Hill Road rezoned to Industrial from Residential Suburban. Whitetail Hollows was represented by co-owners Bill Cotton and Attorney Chris Jones. Testimony was taken by Stenographer Linda Wettlaufer. Testimony ended at 7:17 PM, at which time Chairman Fay took the Board into executive session for deliberation. The hearing reconvened at 7:38 PM. Motion was made by Ron and seconded by Jack to grant the request to rezone the 14-acre parcel to Industrial. The roll-call vote was as follows: Mr. Walter – yes; Mr. Fay – yes; Mrs. Vough – no; Mr. Reagan – yes.

The meeting reconvened at 7:40 PM. On motion of Maurice, second by Jack, it was unanimous to ratify the lifting of the burning ban on August 1, 2012.

On motion of Ron, second by Maurice, it was unanimous to ratify the approval of the Technical and Price Proposal of Gwin, Dobson and Foreman for the construction inspection of Road C.

On motion of Jack, second by Maurice, it was unanimous to approve, sign and execute Addendums #3 (complete the GP-3 permit) and #4 (construction observation services) to the Dawood contract for the Meadowlark bridge. Jack advised the Board that the Meadowlark bridge project needs to have some change orders as the bridge needs to be longer to accommodate two lanes of traffic and shoulders. Discussion was held. The Board agrees that the project must be completed and therefore the change orders for the additional bridge sections and the increase in the length of the concrete footers to accommodate the additional length of the bridge are approved.

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On motion of Ron, second by Jack, it was unanimous to have the generator serviced.

On motion of Maurice, second by Jack, it was unanimous to contact Hal Fish to complete our backflow prevention device testing, and to contact Jeff Paul if Hal is unable to do this testing. We had previously approved Aqua Resources to do this testing for us, but they are separate from our local water company, Aqua Pennsylvania, and would have had to come from New Jersey to test this.

Robin advised the Board that the written agreement for the Adopt-A-Road Program requires "Volunteer Litter Crew Ahead" signs to be placed at the beginning and the end of the road section(s) that they will be cleaning, and that hard hats, a first aid kit and water will need to be supplied to the workers. Discussion was held. It was decided to have John revise the agreement NOT to include the hard hats; to order the signs and first aid kit; and to provide drinking water and garbage bags to the volunteers.

Correspondence/Information was as listed in the meeting agenda.

Ed Reid requested permission to go to Tina Pickett to see if she can get the HOPs for Walmart, Candlewood Suites and Chesapeake's office complex expedited. Ed said PENNDOT has been dragging their feet on these approvals. Discussion was held. Robin suggested he contact Senator Yaw as well. On motion of Ron, second by Christine, it was unanimous to have Ed contact both legislators and get them involved in these issues.

Ed also said he spoke to Skip Schneider concerning the information Christine had gotten for the installation of the backflow preventers on 199. PennDOT says it will require a feasibility study – that may be around \$15,000. A couple different engineers think the backflow preventers are a bad idea, because the water should be going through the pipes to relieve the flooding, and if the pipes are 'plugged' it will create higher water somewhere else. Discussion was held. On motion of Christine, second by Jack, it was unanimous to have Skip Schneider give us a cost proposal for this feasibility study.

Chairman Fay took the Board into executive session at 8:24 PM for personnel issues. The regular meeting reconvened at 9:43 PM.

There being no further business, on motion of Ron, second by Maurice, it was unanimous to adjourn the meeting at 9:44 PM.

Respectfully submitted,

Robin L. Smith, Secretary

## ATHENS TOWNSHIP SUPERVISORS

August 29, 2012 7 PM

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

### Voice of the Residents:

Jeff McEwen of 3547 Wilawana Road was present with concerns about a diversion ditch next to his house. He said this flooded last September during the big flood and also in the Spring. He went with Jack to show him the area. Where CVS picked power up, they didn't dig down very deep. Water now runs across the cornfield over the road into his yard. He asked John Merrick if it would be OK for the township to come and clean the ditch on his (Merrick's) property and John said that would be OK. Jeff said his homeowner's insurance went up \$1200 because he's had 2 claims. If we can't resolve this, he'll turn the ditch back into lawn. Jack said he thinks the electric company did this when they picked up power and Jeff agrees. Jack thought Jeff was going to call the electric company about this. Jeff said they used a subcontractor. Christine Vough arrived and apologized for being late. She asked Jeff to tell her where he lived. He explained the situation to her. Jack said the electric company should take care of it. Jeff said when our road crew was working down the street (at the Betty Jo Morris property), he asked the 'little guy' if they would clean out his diversion ditch and he said yes. Jeff said shortly after that the "boss" told him they would not do it. Maurice said he knows this is a problem, but it's on private property. Jeff said if the water could get to the drywell at Betty Jo Morris's, it wouldn't be a problem. Maurice said he has calls into two guys about this. Christine said she would like to see it. Jeff said John Merrick said it would be OK to work on his property, but Ron said John doesn't own that property any more. Jeff said he'll come back next month to see what we've come up with. Maurice said he'd keep in touch with him.

Richard Bean was present for the Parks Commission. He has one Eagle project completed by Seth Bidwell – who built 2 sandboxes in Round Top Park, and held a fund raiser to help pay for the materials. Two other Eagle projects are in the works – Kevin Luchaco is putting PVC pipe and mulch around the playground equipment that doesn't have mulch in Round Top Park, and Tyler Burlew is doing the same at the Glen R. Clark Memorial Park on Herrick Avenue. Robin Walter's Girl Scout Troop painted the playground equipment that needed painting and also placed PVC pipe and mulch around one piece of equipment. The East Athens neighborhood has finished the landscaping in the Jim King Memorial Park and it looks great. Richard asked about the status of the concrete block placement at the back gate of Round Top – he's been waiting for this for 2 or 3 months now. Jack said his crew is awfully busy. PennDOT will not reduce the speed on Glen Valley Road. Robin will check on the request for Children at Play signs. The pond in Round Top was estimated to be 3-5 ft. deep by the engineers and it is actually 7-10 feet. The Park Commission has decided not to change the pond, but they

will build a handicap fishing pier and pavilion at the pond. Richard said he's received several complaints about the condition of Bobcat Road, and he requested the road crew work the road. He said people are not using the parking lots and are parking on the grass. He has spoken to Larry about this, but it hasn't made a difference. He also stated that 4-wheelers are using the road. Pavilion rental is way up this year – we could use more pavilions.

On motion of Ron, second by Jack, it passed to adopt ORDINANCE 2012-04 to change the Whitetail Hollow parcel on Pump Station Hill Road from Residential Suburban to Industrial as per the Zoning Map Amendment Hearing decision. Christine voted no, and Cheryl was out of town.

On motion of Jack, second by Cheryl, it was unanimous to adopt ORDINANCE 2012-05 changing Merrick Lane to Dawson Lane; King Lane to King Road; and a private lane to Elsie Lane.

Clif Cheeks presented the James/Sandra Rosh 2-lot subdivision on Elsie Lane for review. The setbacks still need to be corrected on the map, but that is the only deficiency remaining. Chairman Fay recessed the regular meeting at 7:39 PM to hold a public hearing on this issue. There being no adverse comment, the regular meeting reconvened at 7:40 PM. On motion of Ron, second by Jack, it was unanimous to grant preliminary and final plan approval to this subdivision, contingent upon receipt of corrected maps.

Next was the Twin Tiers Hospitality, LLC two-lot subdivision at 3082 Wilawana Road. All deficiencies have been met but one: Queen Esther Dr. and White Wagon Rd. need to be shown as roads with dimensions (ROW & paved widths), not just a single line. Chairman Fay recessed the regular meeting at 7:32 PM to hold a public hearing on this issue. Roman Rosh had submitted 2 comments concerning this: 1) "The legal deed property descriptions and the sub-division plans for the Baggerly property deeds submitted to Athens Township for approval appear to be incorrect"; and 2) "The appurtenances, passed on through the chain of title to the Roshes, by the deeds of records for water rights to the Still House Spring or other water rights of record". There being no other comment, the regular meeting reconvened at 7:34 PM. On motion of Jack, second by Ron, it was unanimous to grant preliminary and final plan approval to this subdivision contingent upon the deficiency being met.

Clif presented the Twin Tiers Hospitality, LLC land development at 3082 Wilawana Road for review. They propose to put an 85-room Fairfield Inn and Suites at this location. Revised plans for this development have been received with some of the corrections, but the following deficiencies are still outstanding:

- 1) Sign permit package required
- 2) Subdivision needs to be recorded
- 3) NPDES permit required
- 4) Easement for sign and electric access located on other parcel
- 5) HOP needed (note – taking into consideration the fact that proposed drive might serve the adjacent lots, traffic study may be required for the overall development. PennDOT will determine with their scoping process).
- 6) With no curbing, the inlets at the entrance drive will not capture the access drive stormwater flows.
- 7) Maintenance of the inlets needs to be in the easement, and a maintenance agreement is required.
- 8) Waiver needed for sidewalks
- 9) Queen Esther Drive and White Wagon Road need to be shown as roads to include dimensions (ROW and paved widths), not just a single line.
- 10) SP-1 Parking setback should be 15 ft. from property line
- 11) SP-1 West side parking (2<sup>nd</sup> stall from the north) is only a 9' x 20' instead of the required 10' x 20'.
- 12) SP-1 Retaining wall not clarified on the site plan
- 13) SP-1 Zoning table height requirement needs to be corrected to 8 stories (not 4)
- 14) SP-1 Impervious coverage listed as 68% - needs to be broken down to verify accuracy
- 15) Keep grading and utility plans together, and keep E & S and PCSM plans separate out of plan set, but with the associated document report.

Ron stated that if we have this many comments at final plan approval, it will not be moving forward.

Chairman Fay recessed the regular meeting to hold a public hearing on this development at 8:32 PM. Roman Rosh had asked that his comments for the subdivision be carried over to this land development as well. There being no other comment, the regular meeting reconvened at 8:34 PM. On motion of Ron, second by Jack, it was unanimous to grant preliminary approval only to this land development contingent upon all deficiencies being met before Ed issues any permits.

Ron left the meeting at this time. On motion of Jack, second by Cheryl, it was unanimous to grant Walmart's request for a 90-day extension for both the subdivision and the land development.

Ray Brobst reported that the "Watch Children" signs for Wolcott Hollow Road are not here yet. They have the Meadowlark Drive bridge together up to the pieces that they have. They will be tar and chipping the following roads: Bradley, Alpine, Green



Mountain, Forest, Vetter and Queen Esther Drive. They will also be putting a second coat on Herrick Ave., doing a fog seal and feathering in the driveways. The Dirt and Gravel Road project on Highland Drive is coming along well. It needs to be complete by December. Ron returned to the meeting.

Maurice had asked Robin to type up the work hours for the public works department so they can be signed by the Board and posted as required by the contract. They have been leaving at 3 PM for the last several months and this will get them back to regular hours. On motion of Maurice, second by Cheryl, it was unanimous to sign the designated work hours and post them in the garage. Maurice will post the hours.

Robin advised the Board that Addendum #2 for the Meadowlark bridge project had not been officially signed by the Chairman. On motion of Jack, second by Ron, it was unanimous to ratify this and have the Chairman sign.

Discussion on the roof report was tabled until a later time.

Martin and Mooneyan Hill of Shuman Hill Road were present again concerning the cul-de-sac they live on. John suggested we discuss this in executive session. Ron asked what there is to discuss? Jack said let it go to court. Mrs. Hill said she has received complaints from her neighbors, and Mr. Earley said to get something done. She said Cheryl's mom (Anna Wood) had trees taken down on their road. There was an accident there 3 weeks ago. She stated that Mr. Sikora said he would take the fence down if the township told him to. Mr. Sikora also asked why 'they' didn't do anything before. Mrs. Hill stated that "Cheryl told him (Mr. Sikora) that she would fix it with the township supervisors". She demands that we make the cul-de-sac "safe". Ron said we can't regulate the size of the vehicles. Maurice said the entire road is off center, not just the cul-de-sac. Mr. Hill said the reason the road is off center is because Mr. Sikora has encroached. Maurice said he wants to see the survey map again before he decides. Mr. Hill said they were invited to the meeting to receive a decision. Ron made the motion to leave the road alone and it was seconded by Jack. Chairman Fay called for a roll call vote which was as follows: Mr. Reagan – yes; Mrs. Wood-Walter – abstain, as her mother is an adjoining property owner; Mrs. Vough – no; Mr. Walter – yes; Mr. Fay – yes. The motion passes to leave the road alone.

On motion of Ron, second by Jack, it was unanimous to approve the minutes of July 25, July 30 and August 22, 2012 as written.

On motion of Ron, second by Jack, it was unanimous to reappoint Diane Marvin and Walt Haggerty to their respective positions on Zoning Hearing Board for terms to expire September 9, 2015.

Robin advised the Board that she had contacted Litchfield Fire Company to see if they would be interested in supplying barbecued chicken for our Volunteer Appreciation Picnic on September 15<sup>th</sup> in Round Top Park, and they will do it for \$6/half. Maurice asked if our fire company had declined to supply the chicken and Robin said she didn't ask them because we are inviting them to show our appreciation and it would defeat the purpose if they had to cook. On motion of Ron, second by Jack, it was unanimous to have Litchfield Fire Company supply the chicken for our picnic at \$6/half.

On motion of Ron, second by Jack, it was unanimous to advise Bradford County Emergency Management that we are interested in the CodeRED notification system (we are not committed at this time).

On motion of Ron, second by Jack, it was unanimous to send Ruth to the County Convention and to pay her for the time she would have worked.

On motion of Cheryl, second by Maurice, it was unanimous to approve Ed's attendance at the Floodplain Managers Annual Meeting on October 23/24 in Wilkes Barre for a registration fee of \$120, hotel, meals and mileage, and to pay him for the time he would have worked.

On motion of Ron, second by Cheryl, it was unanimous to accept the monthly reports as presented. We had been receiving one copy of each report for all to view at the direction of the Board, but Ron and Christine would now each like their own copy of the monthly reports and their own copy of the budget. We also received a Treasurer's Report which Maurice read to the Board.

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

Correspondence/Information was as listed in the meeting agenda.

Ed Reid has requested an upgrade to his cell phone. Discussion was held. The Board would like Ed to get a price for a phone that will have email, texting and phone service only, and also a proposal as to how much he would charge for use of his own cell phone for work.

Robin presented Eric Walker's report on the roof. He gave us 2 options and said we need to choose which we would like and he will give us a proposal as to what it would cost us for him to draft the bid spec. Jack said we should just have him do it because it needs to be done before winter. Discussion was held. On motion of Jack, second by Ron, it was

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unanimous to have Eric create the bid spec for us for Option #2 (both garage and office roof) as soon as possible.

Chairman Fay took the Board into executive session at 9:22 PM for pending litigation and contract issues. The secretary stayed until 9:44 PM and was then excused. The regular meeting reconvened at 10:10 PM.

On motion of Maurice, second by Christine, it was unanimous to adjourn the meeting at 10:11 PM.

Respectfully submitted,

Robin L. Smith  
Secretary

## ATHENS TOWNSHIP SUPERVISORS

September 26, 2012          7 PM

Chairman Maurice Fay called the meeting to order at 7:02 PM. Supervisors present were Jack Walter and Christine Vough. Cheryl Wood-Walter was out of town and Ronald Reagan was attending a viewing for his uncle. Solicitor John Thompson and Secretary Robin Smith were also in attendance.

### Voice of the Residents:

Jeff McEwen was not in attendance. Christine said she had spoken with him and they were going to set a time to meet so he can show Christine where this is and what is happening.

Melanie Nittinger presented a petition to the Board requesting their road – Dawson Lane – be returned to its former Merrick Lane name. The County has recommended the change to Dawson Lane and stated there is a conflict between Herrick and Merrick, which should be corrected. Robin explained the process we went through when we did the E-911 readdressing and stated that address issues are determined by the NENA standards. John Thompson said the township did what they needed to do to make the road name change. Discussion continued. There appeared to be some miscommunication between the Dawsons, the residents and the township. Stanley Folk said when they called, his wife said not to give him an answer. Robin advised the residents that if they would like to get together and choose a different name for their road, they could submit it to the township for consideration. The residents would be responsible for the purchase of the sign. Mr. Nittinger asked if they could be addressed off Wilawana Road and Robin said their driveway would have to be off Wilawana Road, which it is not.

Richard Bean reported for the Parks and Recreation Commission. There are 3 Eagle Scout projects in the works. The highway department has placed the concrete blocks at the back gate of Round Top. PennDOT did not recommend “Children At Play” signs for Glen Valley Road – they did not recommend any additional safety measures except enforcement of the speed limit. The Park Commission is working on the Round Top Park Pond project. Bobcat Road still needs to be worked. September 29<sup>th</sup> will be the Walk From Obesity. The King family gave a donation of \$4,479 to be used at the Jim King Memorial Park. There will be a ribbon cutting at the Jim King Memorial Park on October 20<sup>th</sup> at 11 AM for all the improvements. Mattison’s will be removing a tree at the park.

Fairfield Inn had requested a waiver from the sidewalk requirements for their land development on Wilawana Road at our last meeting, but no action was taken. On motion of Jack, second by Christine, it was unanimous to grant this waiver.

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Discussion was held as to the parking setback requirement for Fairfield Inn – it was listed as 15 ft. in the August 29<sup>th</sup> minutes and it should be 10 ft.. Planning Commission is OK with the 10 ft. On motion of Jack, second by Christine, it was unanimous to change the parking setback to 10 ft., and to correct it in the August 29, 2012 minutes.

On motion of Jack, second by Christine, it was unanimous to reappoint both Clif Cheeks and Scot Saggiomo to Planning Commission for terms to expire October 30, 2016.

Jack Walter said Ray Brobst had called him to tell him he would not be at the meeting tonight.

Terry Cockcroft and Dr. Pat Musto were present from Athens Township Authority (ATA) to discuss issues with Road B and road construction protocol in general. Terry said they got involved with the Road B construction way after the fact, and the raising of the manholes were at a big cost to ATA. He said Road B was not a road – it was a utility easement that went through litigation with several parties when Mill's Pride went in. Jack said all this was done between Chesapeake and David Lubin – they didn't have approval, they just went in and paved the damn thing. Dr. Musto and Terry requested that they send the 'developer' back to ATA for approval before the township takes the road. ATA wants to be part of the punch list as well. Robin said she will make sure that Ed contacts them when they do the punch list. Terry then said the manholes on Herrick Avenue were paved over when the road crew paved. Ray had contacted Terry at 7 AM on the morning of the paving to have the manholes taken care of. He needed to be contacted much sooner than that. The contractor needs to clean off the manholes on Herrick Avenue. Jack said this was the first time we've used him and we won't be using him again. The work needed to be done by September 15<sup>th</sup>. We didn't know when they would be there. Dr. Musto asked that we contact ATA when we do a road project so they can be made part of the contract. Jack said they will try to give him as much notice as possible. Maurice said we should notify all the utilities – not just ATA.

Discussion was held as to a replacement for Eric Benjamin. On motion of Maurice, second by Christine, it was unanimous to have Jack and Ray look at the applications and have Ray contact Robin to set up interviews.

Ron Reagan arrived at this time.

Discussion was held as to whether or not the Board would do road inspection. Dates were discussed. It was decided that road inspection would be held on Tuesday, October 23<sup>rd</sup> at 8 AM.

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On motion of Jack, second by Ron, it was unanimous to approve the minutes of August 29, 2012 with the correction previously stated.

On motion of Jack, second by Ron, it was unanimous to ratify the release of the Complaint in Equity from 1973 by Attorney Thompson.

Robin presented the contract from Eric (Rick) Walker for the roof replacement. The Board had previously approved Rick to draw up the roof spec (\$3500), but the contract also had the options listed for the bidding phase (\$1800) and the construction administration phase (\$3600). Discussion was held. Jack said he didn't expect to be paying this kind of money for these services. He thinks we can do this ourselves – all we need to do is patch the hole. Ron said we've patched the hole several times and it hasn't worked. We need to do this the right way. Jack thought Robin could take care of this. Robin said she can't hold a pre-bid conference because she knows nothing about roofing and would be unable to answer questions, much less prepare any addendums to the plans. The contract would also allow for bid packets and copies of the spec drawings to be supplied, which we will have to take to a printer to have done if we do not do the bidding phase. Ron asked who would be doing the construction administration and Jack said Maurice should be able to do that because that's what he did at work. Jack said he would look at the drawings when they come in and then decide if we need these additional services. On motion of Jack, second by Christine, it passed with Maurice also voting NOT to contract for the bidding and construction administration phases. Ron voted in opposition.

On motion of Maurice, second by Christine, it was unanimous to hire Raline Estabrook as the cleaning person substitute for Penny, at Penny's rate of pay and her normal schedule, and to have her work for Penny September 23<sup>rd</sup> through October 7<sup>th</sup> while Penny is out of town.

On motion of Christine, second by Jack, it was unanimous to ratify the reinstatement of the police long term disability, short term disability and accidental death and dismemberment insurance effective April 1, 2012.

On motion of Ron, second by Christine, it was unanimous to ratify the sending of a letter to Todd Campbell that we are okay with the Zoning Hearing Board decision for his access road at the former Cohen property (requested by PENNDOT).

On motion of Ron, second by Maurice, it was unanimous to ratify Barry doing the gatekeeper duties while Maurice is on vacation, and paying him overtime for that.

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On motion of Ron, second by Maurice, it was unanimous to ratify Cheryl's signing of the Road C engineering drawings.

On motion of Maurice, second by Jack, it was unanimous to ratify the postponement of the Simonds Conditional Use hearing to October 3, 2012 at 6:30 PM at the request of the applicant's attorney. The applicant has waived the 60 day requirement.

On motion of Ron, second by Christine, it was unanimous to ratify the signing of the contract with Andy Harding for a feasibility study to enlarge our municipal building.

On motion of Maurice, second by Jack, it was unanimous to ratify the lighting grant through Northern Tier Regional Planning and Development Council for the lighting retrofit of the office, police office and the upstairs classroom.

Robin presented the Minimum Municipal Obligation (MMO) for the 2013 pension plans. The amount due to the non-uniform pension plan is \$89,645 – up from 2012 by \$4873. The amount due to the police pension plan is \$137,391, which is up \$10,888 from 2012. Robin then presented RESOLUTION 2012-09 for no employee contribution to the pension plans for 2013. Christine asked if the Board was going to discuss that, but Ron told her it was already done in the contracts. Robin said we were going to try to change this with contract negotiations, but this was what they negotiated in the 3-year contracts. On motion of Maurice, second by Jack, it passed to adopt RESOLUTION 2012-09, with Ron voting no.

Ron suggested we meet a couple nights from 6 – 8 PM for budget workshops instead of trying to do this all on a Saturday. We could do income one night and expenses another. Discussion was held. Robin was directed to advertise Wednesday, October 24<sup>th</sup> from 6 – 8 PM for our first budget workshop.

On motion of Maurice, second by Ron, it was unanimous to send Robin and anyone else who wished to attend to the Natural Gas Summit in Wysox on November 14, 2012 from 8 AM to 1 PM, and to pay their salaries for when they would have worked.

On motion of Ron, second by Christine, it was unanimous to send Ron, Christine and anyone else who wished to attend to the Natural Gas Vehicle seminar on November 1, 2012 at 9 AM in Towanda.

On motion of Ron, second by Christine, it was unanimous to approve the release of the library funds for 2012. We are in receipt of their financial statement.

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On motion of Jack, second by Ron, it was unanimous to have Keystone Communications update our radios for all county frequencies (to narrowband) at \$65/hour.

On motion of Ron, second by Jack, it was unanimous to upgrade our present 'panic button' security system with Teledair at a cost of \$889.

On motion of Ron, second by Maurice, it was unanimous to upgrade our cell phones to 2 Smartphones (Ed and Cindy) and 4 basic phones (Robin, Barry, Ray and Recycling) with unlimited share for data usage at 4 GB for \$270/month. The Smartphones will be \$99.99 each and the Basic phones will be \$49.99 each.

Jack said the road crew union contract was not settled before President's Day this year, and this was one of their new holidays, which they worked. Since they were given everything retroactive to January 1<sup>st</sup>, they want an additional day for President's Day. Jack said they asked for October 5<sup>th</sup>. On motion of Jack, second by Maurice, it was unanimous to give them October 5<sup>th</sup> as their President's Day holiday.

Maurice read the monthly reports. Fire reports for June, July and August were included. On motion of Christine, second by Ron, it was unanimous to accept the monthly reports as presented.

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

Correspondence/Information was as listed in the meeting agenda.

Maurice reminded everyone, and asked the press to report, that there is no leaf burning in the township, and that we have a dumpster in recycling for leaves.

Robin advised the Board that Ed completed his refresher course for Certified Floodplain Manager and passed his test. He has requested to have his membership renewed in the Association of State Floodplain Managers, Inc.. On motion of Ron, second by Christine, it was unanimous to approve this, and to pay the membership fee.

Christine reported that she will be attending a bridge training seminar in the near future. She also would like to be included in the junkyard inspections since she oversees them. Robin will advise Ed of this.

Chairman Fay took the Board into executive session at 8:45 PM for pending litigation. The secretary was excused and the remaining minutes were taken by Ronald Reagan.



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The regular meeting reconvened at 9:50 PM.

On motion of Jack, second by Maurice, it was unanimous to have John Thompson file a brief with the Appellate Court against Rosh concerning Road C.

On motion of Ron, second by Jack, it was unanimous to have John Thompson file an answer on behalf of the Supervisors in the matter of Martin and Moonyean Hill vs. Athens Township.

John Thompson asked for the status of the Gastl check in the amount of \$1000 for execution. Ron will follow up on that.

On motion of Christine, second by Maurice, it was unanimous to pay for the damages to the Rosenberger trees on Sunnyfield Drive in the amount of \$1650 as per the proposal from Nick's Landscaping and Snow Plowing.

On motion of Jack, second by Maurice, it was unanimous to pay the Meadowlark Bridge invoices, including Invoice 7614597 RI in the amount of \$25,823.

On motion of Maurice, second by Jack, it was unanimous to look for 2 part-time officers.

There being no further business, on motion of Ron, second by Maurice, it was unanimous to adjourn the meeting at 9:53 PM.

Respectfully submitted,

Robin L. Smith  
Secretary

ATHENS TOWNSHIP SUPERVISORS  
Conditional Use Hearing  
October 3, 2012 6:30 PM

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

Voice of the Residents:

Cindy Parrish said she was asked by Jeff McEwen to find out what direction the Board is going with his water issue. Maurice said he will get with him.

Chairman Fay turned the meeting over to John Thompson at 6:38 PM to conduct the Simonds Conditional Use Hearing for a gravel mine proposed for Wildwood Road. John introduced the Board members, and Assistant Zoning Officer Cindy Parrish. Rick Simonds was present for Simonds Excavating with his Attorney Ray DePaola and Engineer Tim Gourley. Testimony was taken by Stenographer Laura Schmieder. Everyone who was to testify was sworn in at this time. A short recess was taken from 8 to 8:10 PM. The Board went into executive session at 9:43 PM. The hearing reconvened at 10:28 PM. Attorney Thompson asked Attorney DePaola if he would agree to giving him 30 days to put together a written decision and he agreed. On motion of Christine, second by Ron, it passed to approve the Conditional Use with the roll call vote as follows: Mr. Walter – yes; Mr. Fay – no; Mrs. Vough – yes; Mrs. Wood-Walter – no; Mr. Reagan – yes.

On motion of Ron, second by Christine it passed to place the following conditions for approval:

- 1) The applicant come back and complete a land development and comply with the Subdivision and Land Development Ordinance.
- 2) The applicant post a bond for Wildwood Road
- 3) The applicant comply with all self-imposed conditions
- 4) The applicant complete concurrent reclamation
- 5) The applicant abide by the present mining permit conditions.

The roll call vote for the conditions was: Mr. Walter – yes; Mr. Fay – yes; Mrs. Vough – yes; Mrs. Wood-Walter – yes; Mr. Reagan – yes. The hearing concluded at 10:33 PM.

When the date was set for road inspection, Cheryl was not in attendance and is unable to attend on Tuesday, October 23<sup>rd</sup> at 8 AM because she will be working. On motion of Ron, second by Cheryl, it was unanimous to change road inspection to November 3, 2012 at 9 AM.

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On motion of Cheryl, second by Ron, it was unanimous to send a donation of \$50 to the Sarah Reid Scholarship Fund c/o Church of the Epiphany, 304 S. Elmer Ave., Sayre, PA, 18840 in memory of Ed's daughter, Sarah Reid.

On motion of Cheryl, second by Ron, it was unanimous to send a donation of \$50 to the Athens Township Volunteer Fire Company, 211 Herrick Avenue, Sayre, PA 18840 in memory of long-time fire company member Mary Timm.

Cheryl requested permission for Alex Walter to get an employee photo ID. On motion of Ron, second by Christine, it was unanimous to have the township pay for Alex get an employee photo ID. Cheryl abstained because Alex is her son.

Chairman Fay took the Board into executive session at 10:40 PM for personnel issues, and the secretary was excused at this time. The meeting reconvened at 11:03 PM, with Ron Reagan taking the remaining minutes:

On motion of Maurice, second by Cheryl, it was unanimous to have Cindy work 9 AM to 4 PM while Ed Reid is off on bereavement leave.

On motion of Ron, second by Jack, it was unanimous to pay Eddie for whatever bereavement time he needs for the loss of his daughter, Sarah.

There being no further business, on motion of Ron, second by Christine, it was unanimous to adjourn the meeting at 11:04 PM.

Respectfully submitted,

Robin L. Smith  
Secretary

ATHENS TOWNSHIP SUPERVISORS  
October 24, 2012 6 PM  
Budget Workshop

Chairman Fay called the meeting to order at 6:09 PM. Supervisors Jack Walter, Christine Vough and Ron Reagan were also present. Cheryl Wood-Walter was not in attendance. Secretary Robin Smith and Treasurer Ruth Casterline were also in attendance.

Voice of the Residents: None

Robin presented 2 applications for new fire police members – Linda Rogers and Beverly Hall. On motion of Maurice, second by Jack, it was unanimous to approve these applications.

Members of the fire company Board of Directors were introduced to present their budget for 2013. Those present were Bob Birks, John Northrup, Deb Northrup, Keith Stackhouse, Bill Campbell and Bob Blauvelt. They are asking for an increase in their donation from \$93,100 to \$125,000. The budget they presented to the board just showed category expenses with no breakdown, and did not include their revenues. They are asking for more money as they have had some big expenses and will have more in the very near future. They purchased a platform truck to give them the ability to fight fires in the higher structures such as the hotels that are being built in the township. They also need to replace air packs very soon.

Jack Walter said they are just showing us the expenses and there is “no way in hell” that they’ll be getting a quarter-million dollars when their initial agreement said they were supposed to be self-sufficient by this time. They clarified to Jack that they are not asking for a quarter-million dollars, they’re asking for an increase of \$32,000.

Keith said they will not be able to become self-sufficient. Income is becoming harder and harder to make. He said the township contribution covers about 60% of their income, but they still need to raise 40%. Volunteers are getting worn out. The same people who go out and fight fires have to come back the next morning to flip pancakes. Their Bingo used to be a big fundraiser, but Tioga Downs now does Bingo on the same night and it has hurt the fire company Bingo attendance. Bob Blauvelt said it is mostly the older people who play Bingo and frankly, they’re dying off. Robin added that their training requirements are increasing so their time is being taken away from their families more and more. They are losing volunteers because they can’t devote so much time to fire fighting, fund raising, training and maintenance of building and equipment. Bob Blauvelt said it’s not unusual for a firefighter to have to spend 5 or 6 nights away from their families.

Bill Campbell said the township has grown tremendously because of the gas company and we have more money coming in. Jack Walter said we have to be very careful where we commit this money. He asked what is the minimum you can accept?

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Bob Blauvelt said Athens Borough gives their fire company \$105,000/yr. and they pay for everything else. Keith said we have to maintain tankers where the Boroughs don't have to. Our fire load has increased. We had 2 calls at Microtel already – a gas leak and an elevator rescue. People will get burned out. Bob Blauvelt said in 1976 you outfitted a firefighter with rubber boots, a coat and a helmet. Now, it takes \$10,000 to outfit a firefighter. Air packs are \$7500 of that and there are new gear requirements.

Bob Blauvelt invited all the supervisors down to the firehall to see what they have down there. Keith said covering calls in the daytime hours is tough. Jack said you're asking for an extra \$33,000. You're the first ones in the door. We want to help as much as we can.

Bob Blauvelt said he would like to be included by the Planning Commission in the projects and new development that comes in to the township. They would like to be called to look at the plans. They have problems with parking lot layouts and trying to maneuver their large equipment in times of emergency. There are no fire lanes for any of the new hotels. That needs to be addressed. The fire company would like to have as-builts for the larger buildings. We will have Ed and Cindy call Bob to come and review the plans when they come in. Robin said we should start using more pervious concrete and pavers. They would need to hold a minimum of 40 tons for a fire truck. Ron said Kathie is coming in November. We will let the fire company know when she will be here. Deb Northrup said they will appreciate anything we can do for them.

Discussion continued on the fire company issues. Robin was asked to request a detailed budget (with both revenues and expenditures) from the fire company.

The budget workshop continued. Robin got prices on new meeting room chairs for budget, and will get prices on a new copier. Ron asked that we also price new chairs for the meeting table. We will contact Kai Pan to do a needs assessment for our computers for budget.

Robin said the school had called to see if any of the supervisors were going to participate in the Halloween parade. No one was interested in participating.

The next budget workshop was set for November 14<sup>th</sup> at 6 PM. There being no further business, on motion of Ron, second by Jack, it was unanimous to adjourn the meeting at 8:14 PM.

Respectfully submitted,

Robin L. Smith, Secretary

## ATHENS TOWNSHIP SUPERVISORS

October 31, 2012 7:00 PM

Chairman Fay called the meeting to order at 7:02 PM. Supervisors also present were Jack Walter, Cheryl Wood-Walter, Christine Vough and Ronald Reagan. Secretary Robin Smith was also present.

Voice of the Residents: None

Richard Bean reported for the Parks and Recreation Commission. One Eagle Scout project is complete and the Jim King Memorial Park project is just waiting for materials. The road crew placed the cement blocks at the back gate at Round Top Park. Richard said this will be a big help. They have received one of the two grants they applied for. Work has been done on Bobcat Road and the road 'feels great'. The ribbon cutting was held October 20<sup>th</sup> at 11 AM at the Jim King Memorial Park. Mattison's removed the maple tree from the park. On motion of Ron, second by Jack, it was unanimous to ratify the purchase of a 2005 Chevy Silverado 1500 4WD pickup truck for \$15,700 to replace the current park truck. On motion of Cheryl, second by Jack, it was unanimous to put the old park truck out for bid – as is. They will be purchasing a new mower in the Spring. Children at Play signs were discussed again for Glen Valley Road. On motion of Ron, second by Christine, it was unanimous to have Robin write another letter to PENNDOT requesting permission to install signs there. Barry's last day for the Parks will be November 9<sup>th</sup>. The park will close the Saturday before Thanksgiving (the 17<sup>th</sup>). Hunting will be allowed, but blaze orange must be worn according to the law. The park will open for snow in the winter. The budget has been completed and turned in to Ruth.

Ray Brobst reported for Public Works. He said the backhoe is in for repair because the turbo went on it. Ron asked what they are doing to this machine – it's only 2 years old. Ray said it's been bad since we got it. They need to do work to the back as well – this will all be covered by CAT as it is still under warranty. Ray said they interviewed twice and they would like to hire Ralph Blowers to fill Eric Benjamin's position. Discussion was held. On motion of Christine, second by Jack, it was unanimous to hire Ralph Blowers according to the terms of the union contract to start Monday, November 5<sup>th</sup>.

Ray said he used to get the same benefits as the guys in the garage until they were taken away from him. The Board asked who took them away from him. He didn't know, but he wants the same benefits as the rest of the Public Works employees including extra days and payment for his CDL license. On motion of Christine, second by Jack, it was unanimous to give Ray the same benefits as the Public Works employees.

Ray said there's still \$25,000 in his budget for an aluminum box culvert. He wants to order it for this year. Robin asked where he planned to use this and he said for the Tom Taylor bridge. Robin asked how he knew what to order as far as size, velocity, etc and he said Chemung Supply would get the figures for him. Christine said she just attended a bridge maintenance class and 50% of bridges need maintenance and/or repair. She wants to have Larson Design Group look at our other bridges to pinpoint the necessary repairs and prioritize them so we can fix them. Robin asked how we would pay for that and Christine said she can't imagine putting a price on the safety of the residents. She thinks we should use the Act 13 money for this. Jack said we need to minimize the engineering costs for these bridges. The next bridge after the Tom Taylor bridge that we do will be Highland Drive. We know what we have to do. Ron asked who has the right education to install a bridge. Christine said the condition of our bridges is embarrassing. The

two bridges over Satterlee Creek are in really bad shape. They're on a yearly inspection list – no offense to the highway guys – they have a lot to do. The one bridge needs over \$80,000 in repairs. Robin asked if that was immediate repairs, short term repairs or long term repairs. Christine referred to the report and said the immediate repair was to clear the brush and install the load posting sign. It was the short term repairs that were \$80,000. Jack said these costs knock your socks off. Christine said you're talking about doing bridges (Tom Taylor, Highland) that aren't even listed. Ron said we'll look at the bridges on road inspection. Ralph Blowers was in attendance and is a resident of East Athens. He said the Miller Road bridge only services 2 residences and he wouldn't go putting a lot of money into it. Jack said we've always done the immediate repairs when we're supposed to – it's not like we've been turning our backs on them. It's hard to keep up with them. Ron would like to see this work contracted out so our guys could be doing something else.

Christine said Mike Lovegreen is trying a pilot stream maintenance program. He has a 90-minute video that he uses to educate people about the 3-day training that will be held in the Summer. She wants us to get some dates where Mike can come and do his presentation. Jack asked if there is money available and Christine said Mike is meeting with DEP next week. Ron asked if we can invite other municipalities like Litchfield, etc., to this and she said yes. Christine will ask Mike about November 20<sup>th</sup> at 6 PM and will get back to us.

On motion of Jack, second by Ron, it was unanimous to approve the minutes of September 26<sup>th</sup> and October 3, 2012 as written.

On motion of Ron, second by Jack, it was unanimous to send Robin to her Publications/Public Relations PSATS standing committee meeting on November 13<sup>th</sup>, and to pay her for the time she would have worked.

Robin said she needs an answer for the engineer that is doing our roof spec. John Thompson said the specs he sent were OK as far as he knows. Discussion was then held as to whether or not the Board would require a review by a third-party reviewer. Jack said no. Robin asked who would do the pre-bid meeting and Jack said he would. Ron asked if we're going to have someone inspect this as it's built. Discussion was held.

Cheryl said Waverly schools got a new roof and it still leaks. Ron said same with Athens. Cheryl said whoever the contractor is has to have an iron-clad contract to make sure it's done right. We need to make sure the bid specs and the performance are clear. John said we could require a 1 year warranty. Robin thought we should get more of a warranty than that for a roof project. Ron asked how we bid that with a warranty? Cheryl said if we're not going to have an inspector we need to make sure the bid price is secure and we get a warranty. Jack said we can request a 5-year and 10-year warranty price in the bid. Christine asked if it's still possible to have Mr. Walker do the whole process – we have a lot of questions.

John Wilkinson asked what type of material will be used for the roof and it will be steel. Jack made the motion to advertise the bid and go. There was no second. Discussion continued. Jack withdrew his motion. On motion of Cheryl, second by Jack, it was unanimous to approve, sign

and execute the remainder of the contract with Rick Walker for the Bid Phase in the amount of \$1800 and the Construction Administration Phase in the amount of \$3600.

On motion of Cheryl, second by Jack, it was unanimous to approve the payment of the Bradford County Humane Society contract for 2013 in the amount of \$1,312.75.

On motion of Ron, second by Jack, it was unanimous to continue with our current electric supplier and not change at this time.

On motion of Ron, second by Jack, it was unanimous to renew our lease agreement with Clarity Connect at the current rate for another 3 years.

On motion of Ron, second by Cheryl, it was unanimous to ratify the attendance of the entire Public Works department at the LTAP Winter Maintenance class to be held here at our building. Robin advised the Board that the class had been cancelled due to the storm, but will be rescheduled in the very near future.

On motion of Ron, second by Maurice, it was unanimous to allow the Bradford County Historical Society the use of our parking lots on December 8<sup>th</sup> to shuttle people back and forth to the St. Agnes School in Towanda for their Bicentennial Ball.

On motion of Jack, second by Ron, it was unanimous to issue the Notice to Proceed for Construction Consultation Services for the Road C project.

John Thompson presented the Simonds decision for Jack, Christine and Ron to sign (Maurice and Cheryl had voted in opposition).

On motion of Ron, second by Jack, it was unanimous to grant the request from Chesapeake for a 60-day extension for the recording of their Phase I land development.

On motion of Ron, second by Cheryl, it was unanimous to approve Ed's membership renewal in the PA Association of Floodplain Managers in the amount of \$50.

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

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

Correspondence/Information/Act 14 Notifications were as listed in the meeting agenda.

Christine said there had been a lot of discussion about trick-or-treat. She would like Athens Township to designate that it be held every year on October 31<sup>st</sup> from 6 – 8 PM. There was hesitation to do this now for every coming year. Discussion was held. On motion of Christine,



second by Cheryl, it was unanimous to set October 31<sup>st</sup> as trick-or-treat night in Athens Township for 2013 from 6-8 PM.

Robin advised the Board that Christmas is on a Tuesday this year. She asked if the office employees could use a vacation day on Monday, December 24<sup>th</sup>, to have the day off even if it meant closing the office. On motion of Ron, second by Maurice, it was unanimous to allow the office employees to use a vacation day on Christmas Eve and close the office if necessary.

On motion of Ron, second by Christine, it was unanimous to hold the Christmas luncheon at noon on the Friday before Christmas (December 21<sup>st</sup>).

Chairman Fay took the Board into executive session at 8:33 PM for personnel issues. The regular meeting reconvened at 9:30 PM.

On motion of Jack, second by Maurice, it was unanimous to hire 2 part-time police officers at \$16/hour with no benefits at a maximum of 32 hours per week.

Maurice read a letter of commendation to Officer John Fedorchak.

On motion of Jack, second by Cheryl, it was unanimous to have Barry maintain the Tozer cemetery on Meadowlark Drive.

There being no further business, on motion of Ron, second by Cheryl, it was unanimous to adjourn the meeting at 9:32 PM.

Respectfully submitted,

Robin L. Smith  
Secretary

ATHENS TOWNSHIP SUPERVISORS  
Budget Workshop 6 PM November 14, 2012

Chairman Fay called the meeting to order at 6:15 PM. Supervisors also present were Jack Walter, Christine Vough and Ron Reagan. Richard Bean was present for an executive session for land acquisition, which commenced at 6:16 PM. The regular meeting reconvened at 6:25 PM.

On motion of Ron, second by Jack, it was unanimous to have Richard Bean begin negotiations to acquire additional acreage for Tozer's Landing. Cheryl arrived at this time.

Robin had seen Mike Lovegreen at the gas summit today and discussed the presentation of his pilot program for stream maintenance. We had selected the date of November 20<sup>th</sup> for him to come and present the program to us, but he said we may be ahead of ourselves at this moment in time because the program hasn't even been approved yet, and not all the pieces are in place. On motion of Maurice, second by Ron, it was unanimous to postpone this presentation until Mike has more information and more details are in place. Jack added that we need to make sure this is not a liability for our people, too.

Discussion was held as to our contribution to the fire company this year. It was decided that we will give them \$93,100 as our yearly contribution and give them \$30,000 of the 2012 Impact Fee money towards the new platform truck they had to purchase to access the multi-story buildings we are seeing now.

On motion of Jack, second by Ron, it was unanimous to hire Cindy Parrish full-time at 35 hours per week (which will include meetings) at her present salary with benefits, beginning with the first pay period of 2013.

On motion of Ron, second by Christine, it was unanimous to give Cindy and Eddie a reimbursable clothing allowance of \$500 each for 2013.

Ruth suggested we have Greg Dibble come up to work with Ray to help him do the paperwork for his purchases so that she will have the necessary documentation to be able to pay these bills with Liquid Fuels funds.

Maurice said he and Larry had interviewed Jason Serfas for part-time police work. We really need to get him started to be able to cover for all the overtime the guys are working now and to cover for days off for hunting season. On motion of Maurice, second by Jack, it was unanimous to hire Jason Serfas at \$16/hour with no benefits for up to 32 hrs/wk, to start immediately upon clearance with the drug/alcohol testing and background check.

The next budget workshop is set for November 19<sup>th</sup> at 6 PM. There being no further business, on motion of Cheryl, second by Ron, it was unanimous to adjourn the meeting at 8:52 PM.

Respectfully submitted,

Robin L. Smith, Secretary



ATHENS TOWNSHIP SUPERVISORS  
Budget Workshop 6 PM November 19, 2012

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

Robin reported that PENNDOT had approved the low bidder, Dave Gutelius Excavating Inc., for the construction of Road C, and asked us to give our approval. Since PENNDOT is overseeing this project for the township and they reviewed and selected this contractor, Robin gave our approval and the Board agreed.

Maurice said Larry would be meeting with Robin at 3 PM tomorrow with Jason Serfas to complete his paperwork as our new part-time officer. Ron had asked Robin to check as to whether or not we would be required to provide employees working 32 hours (or more) with health insurance under the new Affordable Care Act. Robin did not find anything specific but did find where small businesses under 50 employees were exempt. We will research this further.

Robin also advised the Board that the cleaning person, Penny Estabrook, had asked for a raise. Robin told her the Board was looking at 3-1/2% for non-contract raises. Penny said that wasn't much on \$10/hour. She is requesting 50-cents an hour more. No action was taken at this time.

Ron said that Comfort Inn was requesting a variance to allow them to install a higher sign that could be seen from Route 220. He would like the Board to send a letter saying we are not in favor of the variance being granted, since other developers have requested the same and have been denied. On motion of Ron, second by Cheryl, it was unanimous to have Robin send a letter to the Zoning Hearing Board advising them we are not in favor of them granting this variance and listing all previous hearings where sign height variances were denied.

Ruth reported that she and Robin had attended the Act 13 webinar. They are advising us to keep this money in a separate account. On motion of Jack, second by Ron, it was unanimous to have Ruth open a separate account for the Act 13 money. Ruth added that they have no estimate for 2013 funds, so they are advising us not to budget any funds for 2013. We will also need to amend our 2012 budget to include the amount received from Act 13.

On motion of Ron, second by Jack, it was unanimous to move \$16,000 from the Code Inspections, Inc. account into the General Fund account.

On motion of Ron, second by Jack, it was unanimous to take the \$25,000 from the police garage line and \$14,280 from the sidewalks line in Capital Reserve and put \$20,000 of that in the police car line and \$19,280 in the 4wd Police Vehicle line in Capital Reserve.

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The next budget workshop is set for November 26, 2012 at 6 PM upstairs. There being no further business, on motion of Ron, second by Maurice, it was unanimous to adjourn the meeting at 8:50 PM.

Respectfully submitted,

Robin L. Smith  
Secretary

ATHENS TOWNSHIP SUPERVISORS  
November 26, 2012 6 PM Budget Workshop

Chairman Maurice Fay called the meeting to order at 6:13 PM. Supervisors also present were Jack Walter, Christine Vough and Ronald Reagan. Treasurer Ruth Casterline and Secretary Robin Smith were also in attendance.

Robin reported that Ruth's computer needed replacing as the motherboard was bad. Kai Pan looked at it and said we need to replace it sooner than later. Ruth's computer is the only computer with our financial information on it, and if her computer goes, we lose all that data. On motion of Ron, second by Jack, it was unanimous to replace Ruth's computer immediately.

Robin received the draft legal notice from the architect who is doing the roof bid. Several items needed to be decided before the ad can be run, and it has to be to the newspaper by 11 AM tomorrow. The Board is fine with the bids being opened on December 19<sup>th</sup> at 2 PM. On motion of Jack, second by Ron, it was unanimous to set the amount of the performance bond at 50% of the contract price. On motion of Ron, second by Jack, it was unanimous to have both Robin and Ed Reid be the "Owner's Representative" for this project. Robin will get with John Thompson in the morning about the requirement of a Labor and Material Payment Bond. On motion of Maurice, second by Ron, it was unanimous to run the ad once John has approved the content.

Robin advised the Board that Ray Brobst was admitted to the hospital on the 23<sup>rd</sup> and may be off for some time. She will keep the Board updated as she hears more.

On motion of Maurice, second by Jack, it was unanimous to have Ruth Casterline, Robin Smith and Ronald Reagan as signatories for the AT Act 13 Gas Well Impact Fee fund account that Ruth opened at Citizens and Northern Bank. Ruth said we may be able to do direct deposit through Citizens and Northern Bank without a surcharge. She will get more information for our meeting on the 28<sup>th</sup>.

Robin said the Board had previously given permission to the office staff to take a vacation day on Christmas Eve if they chose to, even if the office would be closed. She said Cindy would be the only one working as she has no benefits, but she will become full-time a week later. Robin asked the Board to discuss whether or not they would give Cindy that day off as well. Cheryl Wood-Walter arrived at this time. On motion of Ron, second by Maurice, it was unanimous to give Cindy December 24<sup>th</sup> off with pay.

Robin said she has 2 employees who hit 20 years of employment this year, and one employee who hit 25 years. On motion of Jack, second by Cheryl, it was unanimous to have Robin get a 20-year plaque with a clock for the 20 year employees and to spend approximately \$200 for the 25-year gift. We will present these at our Christmas luncheon on December 21<sup>st</sup>.

The budget workshop commenced at this time. Christine had reviewed the budget and had several suggestions as to where she felt cuts could be made. Discussion continued. Jack Walter would like to see if we have any alternative to paying the real estate tax collector a percentage of the real estate tax collected as her salary.

On motion of Jack, second by Maurice, it was unanimous to transfer \$143,740.00 to General Fund in 2013 from the Capital Reserve account.

On motion of Ron, second by Jack, it was unanimous to carry over the impact fee funds we received in 2012 in the amount of \$474,124.26 (which are held in the AT Act 13 Gas Well Impact Fee Account) into the 2013 budget, and to allocate the funds as follows:

1) Aluminum box culvert – Tom Taylor bridge	\$100,000.00
2) ATVFC towards new platform fire truck	30,000.00
3) 4 WD Chevy Tahoe police vehicle	50,000.00
4) Chevy Tahoe police vehicle	40,000.00
5) Township vehicle to replace the Explorer	15,000.00
6) Dump truck with spreader to replace F-800	140,000.00
7) Replacement of municipal building roof	39,000.00
8) Building expansion project	<u>60,124.26</u>
Total 2013 budgeted expenditures	\$474,124.26

There being no further business, on motion of Ron, second by Jack, it was unanimous to adjourn the workshop at 8:30 PM.

Respectfully submitted,

Robin L. Smith  
Secretary

ATHENS TOWNSHIP SUPERVISORS  
November 28, 2012 7 PM

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

Voice of the Residents:

Joe Joyce of Hickory Heights requested an update on the status of the Route 220 and 199 traffic signal proposal. Robin said she was told the preliminary engineering had been started and that the project was to be done in 2016.

Richard Bean was present for the Parks and Recreation Commission. He said Adam Myers has installed 3 benches so far in the Jim King Memorial Park as an Eagle Scout project and has one more to go. The barbecue grills are backordered and the sign still needs to be landscaped. Still waiting to hear from the Green School on the Round Top Pond project. They will be purchasing a new mower before the next mowing season at a cost of \$12,000 - \$15,000. The old parks truck and the old mower will be put out for bid. Barry's last day for the parks was November 9<sup>th</sup>. Still working out some issues with Susquehanna Greenway's \$8000 grant for tables and benches for Tozer's Landing. "Watch Children" signs have been approved for Glen Valley Road. Round Top Park will open on May 4, 2013 for the season. Richard requested an executive session with the Board for real estate at 7:06 PM. The regular meeting reconvened at 7:13 PM.

Scot Saggiomo presented the Steven/Gussie Levering 3-lot subdivision on Meadowlark Drive for review. There were no deficiencies. On motion of Ron, second by Jack, it was unanimous to grant preliminary and final plan approval to this subdivision, and to approve the sewage module with RESOLUTION 2012-10.

Next was the Ralph/Betty Zehr 2-lot subdivision, lot 1A to become part and parcel to the adjacent lot of Dennis and Jacqueline Sheridan on Vista Drive. All deficiencies have been met. On motion of Jack, second by Christine, it was unanimous to grant preliminary and final plan approval to this subdivision.

Scot presented the Horn's Family Chiropractic land development on Route 220 for review. All deficiencies have been met. On motion of Cheryl, second by Jack, it was unanimous to grant preliminary and final plan approval to this land development.

The land development for Inspection Oilfield Services located on both Cayuta Street and Shepard Road was reviewed. There are still 7 outstanding deficiencies:

- 1) Need all permanent markers noted/labeled on the plan
- 2) Need 6 ft. screening berm extended along all residential properties shown on the plan



- 3) Sign location needs to be depicted on the plan; needs to be 20 ft. off the right-of-way, and the Business ID sign needs to have a 10-ft. clearance
- 4) Sign package needs to be submitted
- 5) Lighting plan needs to be shown for the entire property
- 6) Need a "will serve" letter from the electric company for the proposed use for this project
- 7) Need Shared Maintenance Agreement for Shepard Road for the Sutton/Corbin properties

Chairman Fay commenced a public hearing on this project at 7:29 PM. Ed Campbell of Wildwood Road asked if the newly-constructed driveway will be closed off with an earthen berm. Dillon Marino of Navarro and Wright said it will be, and the driveway will be relocated further west on Cayuta Street. Ed said when the 'current' driveway went in, it created a large waterhole that needs to be taken care of as it causes water to pool in the westbound lane of Cayuta Street forcing traffic out of that lane. This needs to be addressed as it is a hazard for drivers in all directions. Ed asked if there will be an entrance off Shepard Road and there will be. Dillon said it will be paved back 50 ft. Ed asked if that was enough, since the dirt gets tracked out on Shepard Road and causes dust problems when dry and slick mud when wet. Ed says it will be the same on Cayuta Street. Dillon said the entire site will be clean stone and grass, so that will alleviate any of those issues.

Chairman Fay closed the public hearing at 7:34 PM and reconvened the regular meeting. On motion of Ron, second by Christine, it was unanimous to grant preliminary approval only to this land development, contingent upon all deficiencies being met.

Last was the Microtel Inn and Suites final plan approval. Scot said there are no deficiencies. Chairman Fay recessed the regular meeting at 7:36 PM to hold a public hearing on this issue. There being no adverse comment, the regular meeting was reconvened at 7:37 PM. On motion of Jack, second by Cheryl, it was unanimous to grant final plan approval to this land development.

Nomac Drilling had submitted a rig modification to their land development. Planning Commission sent a letter stating that this was reviewed by William Schneider of CEI Engineering and all issues had been addressed. Planning Commission had no further adverse comment to this modification.

Robin advised the Board that Walmart had requested another 90-day extension for the recording of their land development and subdivision, but the request was two days after their previous extension had expired. John Thompson recommends we reapprove the land development and subdivision at this time. On motion of Jack, second by Ron, it was

unanimous to grant final plan approval to both the Walmart land development and the Walmart subdivision.

Planning Commission has a vacancy created by the resignation of Jean Stromick. We have 3 suggestions so far for a replacement. Scot Saggiomo suggested anyone who may be interested come to one of the Planning Commission meetings to see what it is about before they are considered for appointment. Their next meeting is Monday, December 3.

On motion of Ron, second by Cheryl, it was unanimous to approve the minutes of October 24<sup>th</sup>, October 31<sup>st</sup>, November 14<sup>th</sup>, November 19<sup>th</sup> and November 26, 2012 as written.

On motion of Ron, second by Cheryl, it was unanimous to increase the bond amounts for Robin and Ruth to \$2.1 million each to cover the amount of money that is available at any one time.

The meeting dates for 2013 were discussed. On motion of Ron, second by Cheryl, it was unanimous to keep our meeting dates the last Wednesday of every month at 7 PM, exceptions being November 20<sup>th</sup> and December 18<sup>th</sup>.

On motion of Jack, second by Christine, it was unanimous to adopt the IRS mileage rate of \$.565 for 2013.

On motion of Christine, second by Cheryl, it was unanimous to approve the proposed budget for 2013 and to advertise it as available for review, with adoption of the final budget on December 26, 2012.

On motion of Ron, second by Christine, it was unanimous to set the performance and labor/materials bonds for the roof project at 100%.

Discussion was held as to whether or not we will be changing our executive sessions to 6:30 PM prior to our regular meetings. We will not be doing this.

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

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

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Chairman Fay took the Board into executive session at 7:54 for pending litigation. The secretary was excused at this time and the remaining minutes were taken by Ron Reagan. The regular meeting reconvened at 8:26 PM.

On motion of Ron, second by Jack, it was unanimous to send John Thompson to Harrisburg for the Road C argument before the Commonwealth Court, and to pay his expenses.

There being no further business, on motion of Christine, second by Cheryl, it was unanimous to adjourn the meeting at 8:30 PM.

Respectfully submitted,

Robin L. Smith  
Secretary

ATHENS TOWNSHIP SUPERVISORS  
December 19, 2012 2 PM

Chairman Fay called the meeting to order at 2 PM. Supervisors also present were Christine Vough and Ronald Reagan. Cheryl Wood-Walter was unable to attend because of work and Jack Walter did not attend.

Voice of the Residents: No residents in attendance

Chairman Fay turned the meeting over to Rick (Eric) Walker for the opening of the bids for the replacement of the roof on the township building. Two bids were received and were as follows (Alternate #1 was eliminated prior to bidding):

- |                           |                |              |
|---------------------------|----------------|--------------|
| 1) Middendorf Contracting | Base Bid:      | \$120,175    |
|                           | Alternate #2:  | + 3,850      |
|                           | Alternate #3:  | + 1,375      |
|                           | Alternate #4:  | +14,550      |
|                           | Unit Price #1: | \$218 each   |
|                           | Unit Price #2: | \$110/hour   |
|                           |                |              |
| 2) G. Webster, Inc.       | Base Bid:      | \$122,492    |
|                           | Alternate #2:  | + 4,936      |
|                           | Alternate #3:  | + 1,600      |
|                           | Alternate #4:  | + 7,663      |
|                           | Unit Price #1: | \$4,557 each |
|                           | Unit Price #2: | \$ 200/hour  |

All required paperwork was in order for both bidders. Rick will review the bids and submit a summary with a recommendation for our December 26, 2012 meeting.

Chief Hurley submitted two quotes for police cars and would like permission to order the cars. These cars were approved for purchase at a previous meeting, as was payment with funds received from the Act 13 Impact Fee. On motion of Ron, second by Christine, it was unanimous to have Larry order the two vehicles.

On motion of Ron, second by Christine, it was unanimous to allow employees or board members who would benefit from the PSATS convention in April, 2013 to attend, to pay for hotel, meals and mileage, and to pay the employee's salaries for the time they would have worked.

There being no further business, on motion of Ron, second by Christine, it was unanimous to adjourn the meeting at 2:17 PM.

Respectfully submitted,

Robin L. Smith, Secretary

ATHENS TOWNSHIP SUPERVISORS  
December 26, 2012 7 PM

Chairman Maurice Fay called the meeting to order at 7:02 PM. Supervisors also present were Jack Walter, Ron Reagan and Christine Vough. Cheryl Wood-Walter was in North Carolina. Solicitor John Thompson and Secretary Robin Smith were also in attendance.

The bid for the re-roofing of the Athens Township Building was reviewed at this time. Eric Walker, project manager, submitted a summary of the bids that were opened on December 19, 2012. Two bids were received. Eric recommends completing Alternates 2, 3 and 4 and accepting the Unit #2 price – and provided the following bid amounts:

G. Webster, Inc.	\$136,691
Middendorf Contracting	\$139,950

Ron asked how much money we had put in the budget for the roof and Robin said \$15,000. On motion of Jack, second by Ron, it was unanimous to award the bid to G. Webster, Inc.

Next were the bids for the Grasshopper mower. Only one bid was received - from Gary Burcher in the amount of \$510. On motion of Jack, second by Christine, it was unanimous to award the bid to Gary Burcher.

Last were the bids for the 1997 Ford F150 truck. Only one bid was received – from Doug Tappan in the amount of \$760. On motion of Jack, second by Christine, it was unanimous to award the bid to Doug Tappan.

Voice of the Residents – None

Robin received another petition from the residents on former Merrick Lane, requesting the name be changed to Old Merrick Lane. The name had been changed to Dawson Lane at the request of property owner Michael Dawson, who submitted a letter stating the other property owners were in agreement. The other property owners do not want Dawson Lane and ask that the road be changed again to Old Merrick Lane (Merrick Lane is a conflicting road name so they can't go back to that). Discussion was held. Robin added that we need to also add Keefer Lane and Chesapeake Lane to our ordinance. On motion of Christine, second by Jack, it was unanimous to have Attorney Thompson prepare an ordinance to change Dawson Lane to Old Merrick Lane, and add Keefer Lane and Chesapeake Lane to the E-911 road system as private roads.

No action was taken on the vacancy on Planning Commission.

Ron presented the Senior Health Care Solutions land development for preliminary approval. They also need a waiver for the construction of sidewalks along Lamoka Road. On motion of Ron, second by Jack, it was unanimous to grant the sidewalk waiver. All

other deficiencies had been met. On motion of Ron, second by Jack, it was unanimous to grant preliminary plan approval to this land development.

Ray Brobst was not in attendance because he was plowing.

On motion of Jack, second by Ron, it was unanimous to approve the minutes of November 28, 2012 and December 19, 2012 as presented.

On motion of Jack, second by Maurice, it was unanimous to reappoint Jim Shaw to the Police Pension Board for a term to expire 1-1-16.

On motion of Ron, second by Jack, it was unanimous to ratify the issuance of the Notice to Proceed for the construction of Road C (issued 12/14/12).

On motion of Jack, second by Ron, it was unanimous to approve the payment of the PSATS annual invoice in the amount of \$1936.00.

Discussion was held on the possibility of partnering on an application for Natural Gas Vehicles. Robin will get more information for our reorganization meeting.

On motion of Jack, second by Maurice, it was unanimous to adopt RESOLUTION 2012-11 (setting the millage rate at 11 mills for 2013); RESOLUTION 2012-12 (setting the 2013 contribution to the Athens Township Volunteer Fire Company at \$93,100 from General Fund and \$30,000 towards the platform truck payments from the Act 13 funds); and RESOLUTION 2012-13 (adopting the 2013 budget).

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

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

Correspondence/Information was as listed in the meeting agenda.

On motion of Ron, second by Jack, it was unanimous to send a contribution of \$50 in memory of Jack Belles' father-in-law to wherever Jack and Ella would like to see it go.

Ron said Cindy had asked to be able to work 9 AM to 4 PM with no lunch as her fulltime hours. Ron said she needs to take a lunch and asked the Board if they would be OK with

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her just taking ½ hour lunch instead of a one hour lunch like the rest of the office staff and starting at 8:30 so she can get her kids on the bus. Ron also told her she would have to leave the building for that ½ hour. On motion of Ron, second by Jack, it was unanimous to have Cindy work 8:30 AM to 4:00 PM and take a ½ hour lunch off-site.

Chairman Fay took the Board into executive session at 7:48 PM. The secretary was excused at this time. The regular meeting reconvened at 8:44 PM.

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

Respectfully submitted,

Robin L. Smith  
Secretary