

ATHENS TOWNSHIP SUPERVISORS

April 30, 2014 7 PM

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

First order of business was to appoint someone to replace Maurice Fay who resigned as Township Supervisor. On motion of Ron, second by Cheryl, it was unanimous to appoint George Ballenstedt as Township Supervisor to fill the remainder of Maurice's term ending January 4, 2016.

Ralph Blowers of Front Street stood and said this was a violation of the Sunshine Law. John Thompson said there was no official action prior to this meeting. Ralph said it had to be at a public meeting and it wasn't. Cheryl asked each board member if they had voted for Mr. Ballenstedt prior to this vote just taken at this meeting, and the roll-call vote was as follows: Mr. Reagan - no; Mrs. Wood-Walter - no; Mrs. Vough - no; Mrs. Seck - no. Ralph continued, and Andy Watkins of Riverside Drive commented as well. John Thompson reiterated that there was no action taken to appoint Mr. Ballenstedt until it occurred at this meeting.

Next was the opening of the bids for the truck chassis. One bid was received, from Arthur Trovei, in the amount of \$24,900. On motion of Ron, second by Christine, it was unanimous to reject the bid. Ron said he would talk with Randy and Ralph about this later.

Voice of the Residents:

Glenn Aikens was present about his property on Potter Road. His daughter put a mobile home up there and it went through Planning. He says the road was graded up to the driveway. Now a logger has made a mess of the road. Glenn said Randy (Harford), Ray (Brobst) and Jack (Walter) looked at the road but nothing happened. Glenn said the one resident claims they own the road. John Thompson said the individual he is referencing has a survey and a deed that says they do indeed own the road. John added that the surveyor has put his seal on this survey saying that resident owns the road. Glenn asked Randy if he measured and maintains the road in question. Glenn said the measurement goes up to his road (driveway). John Thompson said he will be glad to meet with Glenn to discuss this. John needs to see both surveys to compare. John asked Glenn if you felt you had access to this road, why did you enter into an agreement with that property owner for access? Glenn said he never signed anything. John said he has a signed copy and will show Glenn when they meet. Cheryl asked John to handle this.

Andy Watkins of Riverside Drive said the Board might want to reference that Sunshine Law. Cheryl stated again that at NO time did they appoint anyone or take any vote prior to this meeting.

Dave Hafer of Wilawana Road was present concerning his water and the Road C project. He said he was told that they'd fix his spring if anything happened to it. He went to Williamsport to get a good test of his water. He believes something was dumped into the pond. He stated his water test came back okay. John Thompson said this has been addressed back and forth in correspondence, and 4 tests have been done. John said he sent information to the Hafers about flushing the system and never heard any more from him. Cheryl asked Dave if he was satisfied with that test. He said he was, and that one more test is scheduled after the project is complete. Dave asked if the township would reimburse him for the water test he just had done and the Board agreed to reimburse him for the test. Robin asked Dave to bring in a copy of the test and the invoice so that we can reimburse him for it.

Ralph Blowers said their new truck had been lettered and asked if the 'code vehicle' was going to be lettered. Ron said Ed is arranging this.

Ralph Blowers brought up the Little League using the Jim King Memorial Park when it is supposed to be a neighborhood park. He referenced a concern from 2 weeks ago on that Saturday when Little League was there. Cheryl said the Board was unaware. Christine asked if it was a pavilion rental. Cheryl said we will refer this back to the Parks Commission. Susan said she had a complaint on liability and referred that back to the Parks.

Andy Watkins asked the Board if they would consider installing "Children At Play" signs on Glen Valley Road. Cheryl said we already did that.

Meade Murtland reported for the Parks and Recreation Commission. They plan to participate in the Guthrie Obesity Prevention and Awareness Health Fair on June 7th. Northern Tier Regional Planning submitted the park grant on April 16th. The Parks Commission has deferred putting down erosion control and grubbing out trees and shrubs until Fall. Barry is back to work and the park will open on May 10th. Cub Scout Pack #4017 picked up trash in the park on April 27th. The park inspection was completed on April 19th. Verizon buried their 911 phone cable and Guthrie buried a new emergency line. Complaints had been received about the Jim King Memorial Park concerning organized ball on the baseball field causing noise, trespassing and liability questions. The Commission is getting quotes for fencing on the south side of the park to

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alleviate some of these issues. Several smaller grants are being submitted for the Round Top Park Expansion project. The next Parks Commission meeting is May 19th.

Dr. Musto was not present for Athens Township Authority. Robin presented the Chapter 94 report letter stating it was accepted by DEP.

Discussion was held about posting a speed limit on Weaver Road. Robin said our ordinance shows the speed limit as 35 mph. Randy will take Chief Hurley out to see where to locate the postings.

On motion of Cheryl, second by Christine, it was unanimous to purchase the portable eye wash station and preservative for the highway department.

On motion of Cheryl, second by Ron, it was unanimous to accept the quote from Keystone Communications in the amount of \$2,493.50 for radios for the grader, water truck and new Volvo (Truck 8), and to pay it out of the highway equipment budget. Randy would like to see more in the radio budget each year.

On motion of Ron, second by Susan, it was unanimous to bid out the track loader – as is.

On motion of Ron, second by Christine, it was unanimous to approve the Adopt-A-Road agreement from the “Friends of King Road” for King Road, and to have Robin sign the agreement.

Discussion was held on the Murray Creek Road ordinance. John needs to know specifically what portion of the road this will pertain to. Robin will get with Randy and will get a map of that section. Ron asked if it will affect our Liquid Fuels and Christine said Greg Dibble (our municipal services rep) said it would be okay. Randy said Greg told him we’d still be liable for people using the road even if it was posted – it would need to be barricaded and closed to traffic in order for us not to be liable. John will contact Greg Dibble to discuss our options.

The issue of driveway pipes was discussed. Our ordinance states the property owners are responsible for keeping their driveway pipes cleaned out and clear of debris. Cheryl said people need to know they are responsible for this. Ron suggested having Ed attach a copy of the ordinance to new building permits. Ron also suggested that the cost of our driveway permits is too low.

Ron advised the Board that PennDOT was holding a private municipal auction of their equipment, and he had Robin get information on some of the trucks that were somewhat 'local' to us. He said the bid on the truck from Trovei that we rejected was for an over-the-road truck with over \$700,000 miles on it, and was not a 'plow truck'. He had talked with Lon Merrill as to what would be involved with converting that truck to what we need (box, hydraulics, etc.) and it would involve a lot of work and time. Ron had Robin give the Board, Randy and Ralph copies of the trucks listed on the auction site for review.

On motion of Ron, second by Cheryl, it was unanimous to have Robin get township credit cards for each of the highway department employees, and to keep them in her office until they need them.

Susan presented information on leasing/buying a vibratory roller. Randy would like to see us get the Volvo, as that has traction control. He said the Volvo roller he got a quote on is what we need. It also would give the operator protection from the weather and the dust. Susan asked how big the roller we have now is, and they said it has an 84" drum. Randy said we've had this equipment in the past, why can't we still have it? Ralph said we need to move on this roller. The roller we have now has a crack around the outside of the drum. Ralph said we have nothing but junk out there. We've spent money for police cars. Randy said you wouldn't buy the police used bullets, would you?

Ron suggested we start having a second meeting a month to meet with department heads instead of trying to deal with all this in our regular meeting. Randy said he is glad Ron suggested this because 'we' don't see any of you. Nobody asks us anything.

Ron said the Volvo roller Randy quoted was \$113,000. Randy said the Volvo rep would let us have one for nothing until we get one built. Susan said she has quotes for used rollers. We could lease one for 5 months this year and put one in the budget for next year.

Don Burgess, Randy and Robin attended a webinar on sign inventory. We are required to have a sign management policy in place by June of this year. Don had drafted a policy which was distributed to the Board. On motion of Ron, second by Cheryl, it was unanimous to adopt this sign policy.

Cheryl said she would like the Board to direct Robin to send a letter to Representative Pickett and Senator Yaw to point out that we have had two bad accidents in a month at the Route 199/Route 220 intersection - one of which

was a fatality. Chief Hurley said if you're at the stop sign at 199, the line of sight is blocked by the turning lane. Robin added that when you're in a car like hers as opposed to a SUV or a truck, the line of sight is blocked by guide rail (between the northbound and southbound lanes of 220) to the north. She said if you're the second car in line on 199 waiting to pull out onto 220, not only does the turning lane block your line of sight, but the guide rail to the south does as well. On motion of Cheryl, second by George, it was unanimous to have Robin send these letters and reiterate that the entire Wolcott Hollow/220/199 corridor needs to be reconfigured – not just the intersection of Wolcott Hollow and Route 220.

On motion of Ron, second by Cheryl, it was unanimous to approve the minutes of March 26th and April 9, 2014 as written.

Discussion was held as to switching our phone service from Time Warner Cable to Empire Access (North Penn Telephone). We would save \$25/mo., and would have the assurance that our phone service would have a back-up, which it does not with Time Warner. Robin had called Time Warner the first time we lost our phone service and the problem was that they had lost power on their end. Robin asked if they had a back-up generator and they told her that they are not governed by the PUC and are not required to have a back-up generator. Since we have our own police department and also deal with other township emergency issues, we need to have continuous phone service. Empire Access is governed by the PUC and will have safeguards in place. Discussion was held. On motion of Christine, second by Ron, it was unanimous to switch our phone service to Empire Access.

The Positive Pay program was discussed again. Robin had contacted our insurance company as requested about the possibility of computer fraud coverage for our bank accounts. They would have to give us a "Crimes Policy", which would only cover employee fraud, and can only give us a maximum of \$750,000 insurance coverage. The banks only give a 24-hour window for government/business accounts to discover fraud. The coverage for our M & T Bank accounts would be \$100/month and for our C & N accounts would be \$75 (through the banks directly). Discussion was held. Robin was asked to contact the County to see what they do for their bank accounts. No further action was taken.

The Board set the date for the Sayre HealthCare Center nursing home Conditional Use Hearing as June 4, 2014 at 6:30 PM. Robin will do the legal notice and John Thompson will secure a stenographer.

On motion of Cheryl, second by Ron, it was unanimous to waive the \$30 zoning permit fee for the Arts Fest.

On motion of Christine, second by Susan, it was unanimous to approve, sign and execute the dispatching contract with Bradford County in the amount of \$3,150.60 for the year 2014.

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

On motion of Ron, second by Cheryl, it was unanimous to pay the monthly bills including the monthly payment to the fire company and the Bradco invoice of \$56,214.17. 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 was present concerning the Seaboard land development off Progress Lane in the Valley Business Park. The land development called for a private road to be put in because there would be two businesses sharing the 'driveway' – Seaboard and Dresser Rand. Dresser Rand is not purchasing the property, so the property falls back to Raven Holding Company. Seaboard is looking for guidance as to how to proceed since their 'road' is now considered a driveway. Code Inspections, Inc. will not issue a temporary Certificate of Occupancy until Seaboard receives final plan approval, so this needs to be resolved. Ed has recommended they move their driveway so it will be directly across from the Chesapeake driveway and submit their final plans with that on the plan.

Ed advised the Board that our floodplain ordinance needs to be up to the most current criteria. He has submitted our current ordinance to FEMA and has received comments back. He passed out the comments to the Board and discussion was held. Ed also presented the most current model ordinance. Ron asked if this should be a stand-alone ordinance instead of a part of our Zoning Ordinance. Ed said that is what FEMA recommends. He is working with Leslie from FEMA and she will pull our ordinance out of the Zoning Ordinance and update it for free. It will be more effective for enforcement if it's stand-alone. Ed thinks that raising the freeboard from 18" to 3 feet or 3-1/2 feet will help our residents with flood insurance premiums, and flooding in general. We have to have this ordinance in place by the October 16, 2014 deadline. On motion of Ron, second by Cheryl, it was unanimous to have Ed work with DCED to update this and make it a stand-alone ordinance.

Ed also passed out the changes to the floodplain maps. He advised the Board that some residents have a LOMA (Letter of Map Amendment) that says their actual house was out of the water when it flooded, even though a portion of their property is in the floodplain. The banks still may require flood insurance. With the issuance of the new maps, these homeowners will need to request an updated letter stating that. We will be notified who these people are, but FEMA will not be contacting the property owners. Ed will send a letter to each affected homeowner to let them know what they need to do.

Ed and Robin will be attending a meeting with FEMA in Sayre on May 7th about the new maps and changes that will occur.

Our cleaning person, Penny, will be on vacation May 9 – 18th, so Robin needs to contact our substitute cleaning person to cover for that timeframe. On motion of Christine, second by Susan, it was unanimous to have our substitute cleaning person, Valerie Senese, work when Penny is off.

On motion of Cheryl, second by George, it was unanimous to appoint Ron Reagan as Vice Chairman of the Board.

Ron asked Randy how bad the damage was to the new truck when Mike backed into a parked car at Bradco. Randy said the truck was okay. Ron asked about the spreader and Randy said he thinks the dent was already there – that it's just how it is normally. Ron had a repair quote for the car that was hit (he found it in his box) in the amount of \$790.39. Ron asked what we do with this quote and John Thompson said, with no-fault insurance, we just wait until we hear from his insurance company. Ron gave the quote to Robin as she was not aware we had received a quote.

At this time Randy gave all the equipment quotes and information back to Susan, stating he doesn't want to do it anymore. He wants the Board to just take care of it. He said no one listens to him, and left the meeting.

Chairman Wood-Walter took the Board into executive session at 9:54 PM for pending litigation. The secretary was excused at this time, and the remaining minutes were taken by Ronald Reagan. The regular meeting reconvened at 11:15 PM.

On motion of Cheryl, second by Ron, it was unanimous to reimburse Dave Hafer for his water test and to get a copy of the test for our file.

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On motion of Christine, second by Cheryl, it was unanimous to have John Thompson send a letter to Kurt Williams on the Road C sub-base issue.

On motion of Cheryl, second by Christine, it was unanimous to lease the roller quoted by Bradco for 6 months.

There being no further business, on motion of Ron, second by Christine, it was unanimous to adjourn the meeting at 11:28 PM.

Respectfully submitted,

Robin L. Smith
Secretary