

ATHENS TOWNSHIP SUPERVISORS
April 19, 2017 6 PM

The Board of Supervisors viewed a PSATS webinar on medical marijuana, and how to plan for it for our township. Members of the Planning Commission and Zoning Hearing Board were also invited, as well as members of the press.

ATHENS TOWNSHIP SUPERVISORS
April 19, 2017 7 PM

Chairman Cheryl Wood-Walter called the meeting to order at 7:02 PM. Supervisors also present were Susan Seck, Christine Vough and George Ballenstedt. Ron Reagan was absent. Secretary Robin Smith and Solicitor John Thompson were also present.

The opening of the bids commenced and were as follows:

6000 T (+/-) DSA picked up by the township as needed throughout the year

Marcus Cole: \$6.50/ton
Insinger Excavating: \$6.47/ton

On motion of Susan, second by George, it was unanimous to table the bid award until our meeting of 4/26 so Susan can have the material tested for compatibility with the oil we use.

2500 T DSA delivered & applied to McKinney Hill Rd as per spec

Glenn O Hawbaker: \$31.90/ton
Bristol Excavating: \$15.93/ton
Insinger Excavating: \$14.89/ton

On motion of Susan, second by George, it was unanimous to accept the bid of Insinger Excavating contingent upon testing of the product by BCCD.

6000 T (+/-) AS2 antiskid crushed and screened at our pit as per spec

Marcus Cole: \$3.75 stockpiled @ pit \$7.45 hauled/stockpiled in twp yard

On motion of Susan, second by Christine, it was unanimous to table this until our April 26th meeting so Susan can decide which place to have it stockpiled.

8000 cu.yd. ¾-inch-minus modified (mixed with clay onsite) crushed at our pit.

Marcus Cole: \$3.70 stockpiled @ pit \$7.45 hauled/stockpiled in twp yard

On motion of Susan, second by Christine, it was unanimous to accept the bid of Marcus Cole to crush and stockpile at our gravel pit.

AASHTO #8/1B stone – clean and washed, picked up by the township

Dalrymple: \$14.25/ton

On motion of Susan, second by George, it was unanimous to accept Dalrymple's bid.

Chairman Cheryl Wood-Walter recessed the special meeting at 7:35 PM to hold a public hearing for the application of Smokin' Joe's Tobacco Shop, Inc. requesting approval for the Intermunicipal transfer of a liquor license from the Weigh Station Café in the Borough of Towanda into Athens Township. Township Solicitor John Thompson explained the process and then turned the hearing over to the applicant's attorney, Morris Raub. Attorney Raub explained that the purpose of the supervisor's hearing was to hear public comments. The liquor law states that the receiving municipality must approve the transfer unless it can be shown as being detrimental. Once the municipality accepts, the license can't be transferred out for 5 years. If the board grants the transfer, it must be by resolution or ordinance, which must go with the application.

Attorney Raub then called upon the Director of Operations for Smokin' Joe's Tobacco Shop, Inc., David Supko, as his first witness. Mr. Supko has worked for the company for 17 years. He stated it is a family-owned business that has grown to 30 retail stores and 272 employees. They do have opportunity for advancement, and many employees have been there 10-20 years. He stated it is a solid company that is operated with integrity. He respectfully requests the transfer be granted.

Attorney Raub asked Mr. Supko if this facility would be in the Sayre plaza next to Arby's, and he said it would. He then asked if they would be selling tobacco and he said no – just beer and accessories. The property address is 2309 Elmira Street in Athens Township.

John Thompson asked if this was a restaurant license and Attorney Raub said it was. He added that they would be selling "finger foods" – it won't be the sort of place you would go for dinner. They will serve pizza – they will be serving what they minimally need to serve to comply with the PLCB requirements.

Cheryl asked if they would have takeout and they will. People will also legally be able to sit down and eat and drink there.

Ralph asked if the purchase of food is required and Attorney Raub said the availability of food is required. He added that they will still need to get over many hurdles with the PLCB. He also added that the State liquor store is in the same plaza.

Christine asked how many employees they will have. Mr. Supko said 3 to 4, maybe not all on the same shift. Cheryl asked if the PLCB regulates hours and they said yes. Christine asked what hours they're looking at, and they said approximately 8 AM to 9 PM.

John Thompson asked if they're operating with a liquor license at any of their other locations. Attorney Raub said they have several applications pending (Wilkes-Barre, Choconut, Honesdale).

Christine asked if these will be full-time positions. Mr. Supko said they are required to have one full-time manager trained and on-site. The remaining employees are to be determined.

John asked if there were any more questions from the board and there were not. He then opened the floor to questions from those in attendance.

Clif Cheeks asked if you can have beer when you eat there, and if you have to buy a six-pack or just an individual beer. Mr. Supko said they would sell individual beers as well.

There being no further questions, the public hearing was adjourned at 7:54 PM and the Board went into executive session at that time. The regular meeting reconvened at 8:05 PM.

On motion of George, second by Cheryl, it was unanimous to approve RESOLUTION 2017-04, approving the transfer of the license. John Thompson will prepare the resolution to be signed at our meeting of April 26th, then providing it to the applicant. The applicant waives any time constraint for the resolution.

Voice of the Residents: None

On motion of Christine, second by George, it was unanimous to approve a draw on the loan in the amount of \$150,000 to repay accounts from which invoices for the Round Top Park Expansion project were paid.

On motion of George, second by Susan, it was unanimous to approve the installation of cameras that were disconnected from the office side last year (meeting room and parking lot/shop yard) and to install an additional monitor for the zoning office.

On motion of Cheryl, second by Susan, it was unanimous to approve the Athens Area School District's request to close Pennsylvania Avenue between the schools on June 2nd for graduation (5-9 PM) and September 27, 2017 for Cavalcade of Bands (5:30 – 9:30 PM).

There will be no date change for the May 31st meeting.

On motion of George, second by Cheryl, it was unanimous to close recycling on the following days: New Year's Day, Easter, 4th of July, Thanksgiving and Christmas.

On motion of Cheryl, second by Susan, it was unanimous to grant the 90-day extension request for the Toyota land development.

On motion of Cheryl, second by Christine, it was unanimous to ask the fire company to remove the flags from the Route 199 bridge permanently.

Susan presented an estimate from Greg Dibble in the amount of \$76,395 for the paving of Cole Street, and wants to have Robin bid out the Cole Street project with the driveway tie-ins. She reminded the Board that she was supposed to get \$50,000 toward paving Cole Street. Robin said this is just a materials list and Susan said it was the spec. Robin said the drainage at the bottom of

Elmira Street needs clearance from PennDOT if anything needs to be done with that. Susan said the people on the left won't be happy with what we're doing. Robin asked why are we doing it then? George asked if they will be upset?? Robin said we will need easements if we go out of our right-of-way and onto private property to tie in the driveways. This was tabled until our next meeting so Susan can get clarification from Greg Dibble as to what his estimate covers.

Robin presented a letter of resignation from Dr. Musto from both the Athens Township Authority and the Valley Joint Sewer Authority Board, effective April 28, 2017. Robin spoke with Valorie to see if they have anyone in mind as a replacement. She said they will be looking and will advise.

Robin said the Greens Landing signal is up and running! She has contacted PennDOT about a couple issues we've seen and they will be looking into them.

On motion of George, second by Christine, it was unanimous to approve the minutes of March 29, 2017 as written.

Chairman Wood-Walter took the Board into executive session at 8:48 PM. The secretary was excused at this time and the remaining minutes were taken by Cheryl. The regular meeting reconvened at 8:57 PM.

On motion of Susan, second by George directing John Thompson to get a copy of the Microtel appraisal. All in favor, none opposed.

There being no further business, the meeting ended at 8:58 PM.

Respectfully submitted,

Robin L. Smith
Athens Township Secretary

