

ATHENS TOWNSHIP SUPERVISORS

February 23, 2011 6:30 PM

Conditional Use Hearing reopened for Chesapeake Arthur Water Impoundment

Chairman Ronald Reagan called the meeting to order at 6:36 PM. Supervisors also present were Jack Walter, Maurice Fay and Robin Smith. Cheryl Wood-Walter was absent.

Chairman Reagan turned the meeting over to Attorney John Thompson to begin the Conditional Use Hearing. The applicant was represented by Michael Narcavage, III. Testimony was taken by Stenographer Myra Ludden. Michael thanked the Board for reopening the hearing and presented Chesapeake's request that the condition requiring them to complete a land development for this project be dropped. Testimony was taken. Chairman Reagan recessed the hearing at 7:12 PM to hold an executive session for deliberation. The hearing reconvened at 7:28 PM. Attorney Thompson explained that there was not an affirmative vote of a majority of the entire board, therefore the previous decision is affirmed, and Chesapeake will need to submit a land development for this project.

Chairman Reagan adjourned the hearing at 7:30 PM and a short break was taken at that time.

ATHENS TOWNSHIP SUPERVISORS

Reconvening of the Regular Meeting

Chairman Reagan reconvened the regular meeting at 7:35 PM. Cheryl Wood-Walter joined us at this time.

Voice of the Residents:

Terry Cockcroft of Gateway Industrial Park Road asked the two incumbents, Robin Smith and Cheryl Wood-Walter, if they were running for another term, and if so, what they feel are the issues of today and how to handle them. Robin said she is not running for office again. She has served 2 terms for a total of 12 years, and she thinks it's time to give someone else the opportunity to serve the township. She feels you start to get stale after 10 years or so, and she is looking forward to pursuing other interests. She will be happy to talk to anyone who might consider running for this position, to let them know what is involved and answer any questions. She added that anyone interested in running needs to file a petition with the Board of Elections in Towanda by March 8, 2011 in order to be eligible.

Cheryl is running for a second 6-year term. She feels there are many issues that the township is facing – the effect of natural gas on the township; economic recovery; taking care of everyday township issues like the police department and the roads, trying to make everything balance. She also feels it's important to hold the township 'bottom line' – to keep the expenses and revenues in control. She would also like to see a resolution to the Greens Landing traffic situation. Terry thanked both Robin and Cheryl for their service to the township.

Gunnery Sergeant Jason Reed of Alpine Drive said he was surprised that the gentleman representing Chesapeake at the hearing was so poorly prepared. He said he had no answers for the people here tonight. He stated he may run for township supervisor, because none of us have answers for anyone either.

Dan Stark of Clinton Street thanked the township road crew for the terrific job they've done in the last few storms.

Christine Vough said she likes to fish. Over at Tozer's Landing there's no way to get a boat in with all the Chesapeake trucks in the way. What can be done about this. Robin said if there was anything that could be done, we would have done it by now. It's a public road and a private water company.

Mike Bull of Oak Hill Drive asked if we could post it "No Parking". There were 4 trucks across today. Why can't we do something?

Roman Rosh asked the board if he understood correctly that the board does not want the trucks in there. The entire board agreed. He stated the trucks are parking/standing on the wrong side of the road. Can't they be ticketed? What if they fill their trucks on the right side of the road? Robin said they can't obstruct our road like that. Cheryl said neither Aqua nor Chesapeake will listen to us. Robin suggested we contact Chesapeake and Aqua again and give them a time limit to find another location or we will begin enforcing all these traffic violations. Eddie suggested posting it "No Parking, Stopping or Standing" from the parking lot to the road.

Gunnery Sergeant Jason Reed said when he had a vehicle in the way of the plow, he was approached by a township employee who told him he had to move the vehicle. He pays \$5200 in taxes and he wants to know why the same laws he has to abide by don't apply to Chesapeake?

Ed Reid suggested that we ask Chesapeake to install a hydrant on their property in the business park in the Phase II portion.

Michael Murphy asked if any decision had been reached on the easement request from Chesapeake to cross a small portion of Round Top Park property. Robin said that had been referred to the Parks Commission for their recommendation. Mike asked when we would have an answer from them and Robin said in the Park Commission portion of our meeting tonight.

On motion of Jack, second by Maurice, it was unanimous to approve the minutes of January 26 and February 1, 2011 as written.

Robin presented the William/Lori Sutton 2-lot subdivision on Braddock and Beaver Pond Roads for review and approval. Ron read the deficiencies, and all were met with the exception of the driveway permit. Chairman Reagan recessed the regular meeting at 8:03 PM to hold a public hearing on this issue. There being no adverse comment, the regular meeting reconvened at 8:04 PM. On motion of Jack, second by Maurice, it was unanimous to grant preliminary and final plan approval to this 2-lot subdivision and to execute the sewage module. Planning Commission commented that this subdivision will require a NPDES permit if more than 1 acre is disturbed.

Next was the William/Lori Sutton 3-lot subdivision on Mile Lane Road and Highland Drive. None of the deficiencies have been met. On motion of Ron, second by Cheryl, it was unanimous to table this subdivision until the deficiencies have been met. Robin reminded the Suttons that this project will still require the submission of a land development. Gunnery Sergeant Jason Reed interrupted and asked Chris Sutton to ask us why he has to do a land development when we aren't requiring Chesapeake to do one. Robin stated that the result of the hearing prior to this meeting was that Chesapeake DOES have to do a land development.

Robin presented the Stephen/Nancy Moore 1-lot subdivision, Lot 2A to become part and parcel to Lot 2 of Victor/Donna Vough on Wolcott Hollow Road. All deficiencies have been met. Chairman Reagan recessed the regular meeting at 8:12 PM to hold a public hearing on this issue. There being no adverse comment, the regular meeting reconvened at 8:13 PM. On motion of Cheryl, second by Maurice, it was unanimous to grant preliminary and final plan approval to this subdivision and to execute the non-building waiver. Robin will call Jeff Geiss when the plan is ready so that he can take the plan for recording.

Chairman Reagan took the Board in to executive session for personnel at 8:13 PM. The regular meeting reconvened at 8:35 PM. Cheryl made the motion to accept the Memorandum of Understanding with the union for the 5 members of

the highway department bargaining unit as follows, and seconded by Maurice:

- 1) Term of the agreement is 1 year (1/1/11 through 12/31/11)
- 2) Three additional personal days for a total of 7 personal days/year
- 3) Maintain Supreme Tier of health insurance and maintain all other existing employee benefits with no contribution from employees
- 4) 1.5% raise for 2011, retroactive to January 1, 2011

Chairman Reagan called for a roll-call vote: Mr. Walter – yes; Mr. Fay – yes; Mrs. Wood-Walter – yes; Mr. Reagan – no; Mrs. Smith – no. The motion passes.

Bob Blauvelt reported for Athens Township Authority. He said they will be upgrading Pump Station 1 and possibly Pump Station 6 (at Camco). The cost will be borne by Chesapeake. They have one sewer account back in litigation because of the refusal to connect. Al Teeter is still off and will probably be off for a while because he needs to be able to lift 200 lbs before he can return.

Mike Bull reported for the Parks and Rec Commission. He said the Commission is in favor of the easement for the Chesapeake water line if the township supervisors are OK with it. John Thompson said he requested the easement state that the pipeline is for fresh water only, and that has not been added to the agreement yet. The composting toilet will be completed at the Jim King Memorial Park in the Spring. They will also be doing the basketball and volleyball courts. They will be marking the trails in Round Top this year. They have nothing back on the pond yet. They discussed the water tankers at Tozer's again. Everyone is upset about it. They will start Barry on April 4<sup>th</sup>. They have changed their March meeting from the 28<sup>th</sup> to the 21<sup>st</sup>. Robin will readvertise.

Mike Murphy said Chesapeake walked away from him yesterday on the pipeline negotiations. He said many organizations are banding together on the leasing – we should consider doing that.

Ray Brobst was present for the Public Works Department. He asked if he can get the raise and the extra days off that the bargaining unit are getting and the answer was no. Ron said none of the other non-uniform employees are getting that either. Ray asked if he could join the union and the answer was no, because he is management.

Ray said Bob Blauvelt helped us out a lot with plowing in the last winter storm.

Page Five  
Athens Township Supervisors  
February 23, 2011

On motion of Robin, second by Cheryl, it was unanimous to send Ray Brobst, Randy Harford and Jack Walter to the Stormwater NPDES class at the Northern Tier Career Center on April 19, 2011 at 6 PM. Robin will register them.

On motion of Robin, second by Cheryl, it was unanimous to send Ray Brobst, Randy Harford and Mike Chilson to the Flagger Training in Richmond Township at 9 AM on March 22, 2011.

On motion of Ron, second by Robin, it was unanimous to approve, sign and execute the proposal for the garage roof in the amount of \$4800.

On motion of Ron, second by Robin, it was unanimous to approve, sign and execute the Supplemental Agreement for engineering on the Road C project.

We received two separate notifications from the Teamsters regarding our health insurance increases. Jim Carroll will contact them to clarify which amount is correct.

On motion of Jack, second by Maurice, it was unanimous to adopt ORDINANCE 2011-02 for the fire company billing. The ordinance will be in effect in 5 days.

On motion of Ron, second by Cheryl, it was unanimous to adopt RESOLUTION 2011-04 for the consultant selection policy for the Thomas Avenue bridge replacement, and authorize Robin to run ad for Statements of Interest.

On motion of Ron, second by Maurice, it was unanimous to approve, sign and execute the Conrad Siegel recommended assumption changes for both the Non-Uniform and the Police pension plans.

On motion of Cheryl, second by Robin, it was unanimous to approve, sign and execute the copier agreement for 2011 with Copy Source, Inc.

On motion of Cheryl, second by Robin, it was unanimous to set the date for the EPSCO Map Amendment Hearing for April 12, 2011 at 7 PM. John Thompson will do the legal notice and will secure the stenographer for the hearing.

Chairman Reagan made no changes in the committee assignments.

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

On motion of Cheryl, second by Ron, 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 presented in the meeting agenda.

On motion of Ron, second by Cheryl, it was unanimous to approve Robin to speak on gas drilling issues at the Dickinson College seminar at the Keystone Theater on March 4<sup>th</sup> from 1 – 3:30 PM and on April 14<sup>th</sup> at the Leadership Conference at Corning Community College and to pay her salary for the time she would have worked.

On motion of Ron, second by Cheryl, it was unanimous to send Jack Walter and Ruth Casterline to the budget class in Wyalusing on April 2<sup>nd</sup> and to send Ruth to the Payroll Law 2011 class in Elmira on April 8<sup>th</sup>.

On motion of Ron, second by Cheryl, it was unanimous to send Ed Reid and John Northrup to the PA One Call class at the Athens Township Fire Hall on March 3, 2011 at 8 AM.

Robin received an e-mail from the Bulletproof Vest Partnership Program (BVP) stating that in order to remain eligible to receive grant funds for the bulletproof vests, we need to have a mandatory wear policy in effect for the officers. On motion of Ron, second by Robin, it was unanimous to draft a policy for this.

Robin reported that our website is now complete, and can be viewed at [www.athenstownship.org](http://www.athenstownship.org). Laurie did a great job on this project.

Chairman Reagan took the Board into executive session at 9:20 PM for personnel issues and pending litigation. The regular meeting reconvened at 9:43 PM.

On motion of Maurice, second by Cheryl, it was unanimous to have Jim Watson take his personal days and floating holiday received in 2011 before he retires as these are not days that can be carried over for cash payment.

On motion of Ron, second by Robin, it was unanimous to have Ed Reid send the Enforcement / Cease and Desist Notice to Tennessee Gas Pipeline and to Masco concerning their proposed pipe yard in the Valley Business Park.

Page Seven  
Athens Township Supervisors  
February 23, 2011

On motion of Ron, second by Cheryl, it was unanimous to have Robin draft a letter to Ty Reynard.

There being no further business, on motion of Robin, second by Ron, it was unanimous to adjourn the meeting at 9:46 PM.

Respectfully submitted,

Robin L. Smith  
Secretary