

ATHENS TOWNSHIP SUPERVISORS

March 30, 2011 7:00 PM

Chairman Ronald Reagan called the meeting to order at 7:02 PM. Supervisors also present were Jack Walter, Cheryl Wood-Walter, Maurice Fay and Robin Smith. Attorney Thompson was out of town.

Ron welcomed Nicholas Hudock of Boy Scout Troop 17 who was present tonight as a requirement of his Citizenship in the Community badge.

Voice of the Residents:

Daryl Miller introduced himself as a candidate for County Commissioner.

Gary Rosh of Wilawana Road said he had attended the public hearing for Dave Lubin's Rivers Edge housing development proposed for Lot 4 of the Valley Business Park. Gary said Mr. Lubin stated at that hearing that he had permission to fill in the canal. Gary called Brad Cummings at Bradford County Conservation District to ask if he truly did have permission. Brad said that would need a special permit, and he added that he had not received anything on that yet. Gary said he just wanted to make us aware that he did not have permits for that. Robin thanked him and said that will be one of the requirements of the land development, and it would be addressed at that time. Maurice said there is a problem with water over there and it goes into that old canal. They will have to address that.

Bill Morris, Chairman of the Auditors, was present to give the Board their report on the audit. He handed out copies of the audit along with the condensed balance sheet. He explained the report, and said everything balanced to the penny again this year. He commended Ruth and Robin for doing a great job.

On motion of Maurice, second by Jack, it was unanimous to approve the minutes of February 23, March 3 and March 14, 2011 as written.

On motion of Robin, second by Cheryl, it was unanimous to table the Wm. Christopher/Lori Sutton 3-lot subdivision on Mile Lane Road and Highland Drive, as this plan has been revised and Attorney Thompson was not present to advise us as to how to proceed.

Robin received a request from Chesapeake Energy requesting a 90-day extension for their Arthur Cole Water Impoundment Facility on Murphy Road. This is due to expire on April 9, 2011. On motion of Robin, second by Jack, it was unanimous to grant the extension. This will now expire on July 8, 2011.

Dave Young of Larson Design Group presented the Chesapeake Athens Office Complex – Phase I project for review. He explained the project to those in attendance. He said

this will include a 14,280 sq. ft. shop and an 11,284 sq. ft. building to house 44 offices. The yard will be gravel and will be used to store pipe and fittings. There will be no trucks stored on this site. It will be enclosed by a chain link fence that will have 2 entrances with electronic gates. All utilities are readily available. They will be able to connect with gravity sewer from Nomac. The water will be supplied by running a 12" main down Mile Lane Road to Lamoka Road, then running an 8" line up Lamoka Road into the site. It is still undetermined as to which electric company will serve this site.

Ron asked why they aren't accessing this site from Mile Lane Road. Dave said PennDOT will only allow them so many driveway cuts. Ron asked how high the office building would be and Dave said 1-story. Ron wanted to know if the stormwater plan will be just for Phase I or will it be for the entire site? Dave said they have been permitted for all 5, but each phase will be done as separate systems. Ron wanted to know if the utilities will tie into the lines off the back of the property. Dave said the electric and gas will be routed that way, but the others will be "private". He said the first three Phases have very good drainage.

Jack Walter asked if the utility easements would be along "Road B" or if they'd be on Chesapeake property. Dave said the area shown is not "Road B" – it's the northern boundary of the old airport property so it will be Chesapeake property.

Gary Rosh said when Mill's Pride went in, there were big concerns with traffic. Road C has been on the wall for years and hasn't been built yet. Mill's Pride said they would not have the 18-wheelers use Wilawana Road, but they do. It's bad now. Will this shop area be for large trucks or pick-up trucks or what? Dave said it would be the larger trucks, but they should take the straight shot off Route 220. They met with PennDOT on this. Ron said we can't dictate who can use Wilawana Road – it's a state road.

Roman Rosh of Roman Way, South Waverly, PA asked if this had been through Planning. Yes it has. He asked what buildings would be the offices and what would be the shops? Dave delineated these on the plan. Roman asked if this was all Chesapeake and Dave said it was Chesapeake and their subsidiaries. Roman was concerned that Chesapeake could sell some of the middle sections and it's just a subdivision by lease. Dave said if that was to happen, they would come in and do the actual subdivision. Mike Narcavage of Chesapeake Energy said they do not intend to sell. Ron explained that a subdivision by lease still has to meet all the requirements such as setbacks, impervious surface, etc. that a normal subdivision would have to. Roman asked where the subsidiaries would be relocating from and Mike said Corning, Mansfield, Towanda, Ingersoll Rand in Athens Borough, and Mansfield.

Roman asked if this is in a KOZ, and it is. The Nomac Housing and Training Facility is not in the KOZ. He asked if Chesapeake is going to pay taxes 'in lieu of' and Mike will get an answer on that. Jack Walter said the thrust of the KOZ was to bring jobs in – let's not kick that in the teeth. We will begin to receive real estate taxes in 2017. Roman said it would be nice to have the Mile Lane Road speed limit reduced to 35 from 45 mph.

Ron asked what Phase 5 was to be and Mike said some sort of fueling, but they're not sure what kind yet. Roman said it's a state law in PA that you can't idle your trucks more than 5 minutes. He asked where these signs would be posted. Chesapeake will take care of that. There will be no overnight parking in Phase One. Ron said that is up to DEP to enforce. Roman asked what will be in the storage yard. Mike said there will be things like oil and antifreeze – things used in truck repair – in the shop, but not in the yard. Roman questioned their ability to store things outdoors and was told their storage is covered under the Contractors Shops and Yards section of the ordinance.

Clif Cheeks presented the plans to the Board for this project. There were a few deficiencies, but mostly administrative. They lacked the sewage planning module, but that is in the works. They do not have a water quality permit because it hasn't been determined whether or not they need one yet. They lack their water inspection report from Aqua. They need letters from the utility companies stating they can use their easements. They also need a waiver to install hydrants at 1000 ft. intervals instead of 600 ft. intervals. They have submitted a letter from the Athens Township Fire Chief stating the 1000 ft. intervals are acceptable for this development.

Discussion was held as to the lighting for this project. Clif said these will be spotlights and will shine down, but some of the light will spill over their property lines. Ron said he's concerned with traffic on Mile Lane Road. Jack said he can see the lights from Litchfield at his house – you're never going to put a light in that won't shine off the property. Robin said her concern is that these lights are 45-ft. high and she is concerned that the lights will affect the drivers on Mile Lane Road. Mike Narcavage said if there is a problem with the lights, they will do something about it. Clif continued by saying they are here for preliminary plan approval only, and added that Athens Township Authority has signed the Module 3 for sewage.

On motion of Jack, second by Maurice, it was unanimous to grant preliminary approval only to the Chesapeake Athens Office Complex Phase I, contingent upon the resolution of the following deficiencies: 1) submission of the approved sewage module Component 3; 2) submission of water quality permit, if it is determined that this is necessary; 3) submission of their water inspection report from Aqua (for final); 4) letters from the utility companies stating Chesapeake's location in the easements is OK; and 5) granting of a waiver by the Board of Supervisors for the intervals on the hydrants.

Page Four  
Athens Township Supervisors  
March 30, 2011

On motion of Jack, second by Maurice, it was unanimous to grant the waiver to allow Chesapeake to install hydrants at 1000 ft. intervals instead of 600 ft. intervals for this project.

Ron Reagan stated that he is no longer abstaining on matters with Chesapeake because his deals have been finalized.

No one was present from Athens Township Authority.

Richard Bean reported for the Parks and Recreation Commission. He said the Greenway will partner with us for an education grant. They would like to provide an interesting and fun way to learn about trees by attaching large numbered tags to common trees along the existing trails at Round Top. The tags will correspond with tree descriptions in a brochure that will be made available at the park. They are also in the talking phase about partnering with the Greenway on some type of nature education program for elementary age children to be held in Round Top Park for a week or two during the summer. Various construction projects were also discussed for the parks. The pond study is attached and on file at the township building. Barry will start April 4<sup>th</sup>. The Commission will be identifying and installing markers on the walking trails on April 16<sup>th</sup> at 9 AM when they do their walkthrough of the parks. They will meet at Tozer's Landing. They are seeing very few water trucks at Tozer's Landing lately. The new East Athens boat launch is on hold until the remediation of the Cohen site is complete.

Ray Brobst was present for the Public Works department. He asked if we will replace Jim Watson when he retires next month. Ron said we haven't talked about that yet. Ray asked if he can get a couple of part timers. We haven't talked about that either. He said he thinks we now have an ordinance on the books that allows us to require homeowners to keep the water from their driveways from coming onto our road. Robin said this only applies to new driveways. Ray said Reagan Road and Sunnyfield Drive are the worst. We have them on almost every road. Robin will check with John Thompson to see if there is anything we can do to require the homeowner to fix these issues. Ray also reported that the sewer smell is back in the shop bathroom. Robin will ask Andy Harding to take a look at it when he's here for the roof. Ray also said the parking lot needs attention.

Robin presented the Athens Township Body Armor Policy for review and adoption. A change has been made in the Bulletproof Vest Partnership (BVP) Program that in order to receive funds from them, we must have a mandatory wear policy in effect. On motion of Ron, second by Robin, it was unanimous to adopt this policy as written, and to have each officer sign that they have read and understood the policy, then returning the signed copy to Robin to place in their files.

Robin presented the Credit Card/Clothing Allowance Policy for review and approval. Discussion was held. This policy is being proposed because the police department will use their credit cards for purchases, but they don't get the receipts or packing slips to Ruth so that she can pay the bills, which causes our payment to be late. This has been discussed with the police department several times, but the situation does not change. The policy proposes that they use their own credit cards and get reimbursed upon the presentation of the signed receipt and packing slip. Maurice said they told him they don't like this proposed policy because if they're ordering a \$600 coat, that's a lot to put on their personal credit cards. He has talked to them and they will get their paperwork to Ruth. Robin said they have been talked to many times about this and we still have the problem. Further discussion was held. No action was taken on this policy.

Robin advised the Board that our police department is becoming very concerned about the sale and use of synthetic drugs in the township. Because these drugs are synthetic, they are not regulated and are not illegal. They are referred to as "bath salts" and are comparable to an extended "high" like you would get from cocaine and methamphetamine. It causes hallucinations and paranoia and the police are dealing with some very dangerous situations because of it. The hospital is getting patients that have used this and there have been 3 deaths in the county since January where "bath salts" were found in their systems. Robin contacted Tina Pickett and Senator Yaw concerning the regulation of these synthetic drugs. Tina said the House is entertaining a bill on Monday, April 4<sup>th</sup> to ban this. Arnie Kriner from Senator Yaw's office sent Robin a link to an article about Mount Carmel Township, Northumberland County, adopting an ordinance to ban the sale, possession, delivery and/or use of synthetic cannabis and synthetic drugs. Robin called Mount Carmel Township and got a copy of their ordinance. Since our attorney is on vacation, Chief Hurley sent the ordinance down to the District Attorney's office to see if this is something we can do at the local level. On motion of Robin, second by Maurice, it was unanimous to have Robin advertise this ordinance for adoption at our April 12<sup>th</sup> special meeting if it is determined by the District Attorney's office that we can legally adopt this.

Ron read the monthly report totals. He also read from Ed's report that the Planning Commission held a workshop with Walmart on March 28<sup>th</sup>. It was for information only, and allowed the project engineer and the review engineer to go over their issues at the same table. On motion of Cheryl, second by Maurice, it was unanimous to accept the monthly reports as presented.

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

Page Six  
Athens Township Supervisors  
March 30, 2011

Correspondence/Information was as listed in the meeting agenda. On motion of Ron, second by Maurice, it was unanimous to send Robin and Eddie to the 2011 Municipal Workshop in Towanda on April 5<sup>th</sup> from 8-4, and to pay their salaries for the time they would have worked. Clif Cheeks also would like to attend this workshop.

Rita Jo Swingle asked how the meeting on Greens Landing got scheduled? Cheryl said she called Arnie Kriner and told him something needs to be done about the dangerous traffic situation that involves Routes 199/220 and Wolcott Hollow Road. PennDOT will not listen to us, and their response to us is always that they don't see a problem there. We try and try and they will do nothing about this. Rita asked if this was a public meeting and it is. Cheryl said send letters or emails to your legislators and let them know what the impact is to you, and ask why this is not being pushed. Cheryl wants to hear PennDOT tell her why they think this is OK.

John Wilkinson commented that the water from driveways in the road really is a big issue. Riverside Drive is terrible because of this. He also asked who would get the money from the new gas lease – the Parks or General Fund? We don't know as we have not been approached for a new lease.

Chairman Reagan took the Board into executive session at 8:50 PM for personnel issues. The regular meeting reconvened at 9:30 PM.

Robin was instructed to set up interviews for the Assistant Zoning Officer, and to have Ron, Ed and herself conduct these interviews.

On motion of Jack, second by Maurice, it was unanimous to have Robin place an ad for a Class A CDL heavy equipment operator as a replacement for Jim Watson.

On motion of Jack, second by Robin, it was unanimous to have Robin move forward with the arrangements for Jim Watson's retirement acknowledgement.

Ray forgot to request permission to bid materials at the last 2 meetings, so Robin requested it for him. The Board approved the bidding of materials for our April meeting.

There being no further business, on motion of Robin, second by Maurice, the meeting adjourned at 9:38 PM.

Respectfully submitted,

Robin L. Smith