

## ATHENS TOWNSHIP SUPERVISORS

April 12, 2011 7:00 PM

Chairman Ronald Reagan called the meeting to order at 7:07 PM. Supervisors also present were Jack Walter, Maurice Fay, Cheryl Wood-Walter and Robin Smith. Attorney John Thompson was also in attendance.

Voice of the Residents: None

Chairman Reagan turned the meeting over to Attorney Thompson for the EPSCO Zoning Map Change Amendment Hearing. Ray Earl was present for EPSCO, and was represented by Attorney Joseph Landy. Resident Thomas Byrne was also present. The purpose of the hearing was to consider their request to change their zoning designation from Residential Urban to Commercial. They are looking to rezone their entire parcel, and a portion of the NEYRON parcel across Pennsylvania Avenue. Testimony was taken by Stenographer, Linda Wettlaufer.

Chairman Reagan took the Board into executive session for deliberation at 7:22 PM. The hearing reconvened at 7:35 PM. Ron made the motion to grant the request to change the zoning designation to Commercial from Residential Urban. The motion was seconded by Jack. Attorney Thompson called for a roll-call vote, which was as follows: Mr. Walter – yes; Mr. Fay – yes; Mrs. Wood-Walter – yes; Mr. Reagan – yes; Mrs. Smith – yes. The motion unanimously carried.

Ron presented Ordinance 2011-03 to prohibit the sale, delivery, possession and/or use of synthetic cannabis and other synthetic drugs, such as “bath salts” in Athens Township. Jack said we are considering this because there have been a few deaths and a lot of bad incidents from this. Ron asked John about the penalties. He asked if our police department walks into one of the stores selling these items, do they issue them a summary offense. John said yes. Ron read the amounts from the ordinance and asked John if those were pretty standard for a summary offense. John said there usually is a spread for the amount, but this is on the low end. Ron asked what’s to stop people from continuing to sell if they’re only fined \$100-\$300. John said it’s per offense, and there could be multiple offenses. There is also the ‘and/or’ option of up to a 90-day prison sentence. John added that there is a forfeiture clause in the penalties where our officers can seize the merchandise. Cheryl added that there’s more than just selling the product in the ordinance – it’s also delivery, possession and use. Ed asked if they can be cited every day and John said yes. Robin asked if they can be cited for every sale and John said yes. Ron said he doesn’t have a problem with this, he just wants to make sure we have our bases covered.

On motion of Cheryl, second by Robin, it was unanimous to adopt Ordinance 2011-03 banning the sale, delivery, possession and/or use of synthetic cannabis and other synthetic drugs in Athens Township. The ordinance will become effective on April 18, 2011.

Page Two  
Athens Township Supervisors  
April 12, 2011

Robin presented the Simonds Excavating, Inc. Conditional Use Application for a gravel mine off Wildwood Road. We set the date for this hearing on June 2, 2011 at 6:30 PM. Linda Wettlaufer was still present and said she would be able to do that hearing for us.

Ruth attended a class on Payroll Law this past week and said we need to adopt a policy to require new hires to provide their Social Security numbers prior to employment for verification through the eVerify system of which we are a member. Robin presented this addendum to our new hire policy for review and approval. On motion of Robin, second by Maurice, it was unanimous to adopt this policy addendum.

Discussion was held as to whether or not we should continue using the RUMAs or go back to posting and bonding. Ed and John had discussed the option of putting the weight limit signs back up, but allowing overweight vehicle owners/companies the choice of entering into a RUMA or posting a bond. Ed said we lost on appeal with the case of the overweight trucks on Erin Road because the weight limit signs were not posted at the proper distances. Ron asked who knows where the signs are supposed to be located? Robin said she thought the road crew should know since they are the ones who post the signs. Ed said Larry knows the distances from the intersections and they could mark where the signs need to go. Ed also advised the Board that PennDOT pulled 4 of Chesapeake's road permits because they were not keeping them up in a timely manner. On motion of Robin, second by Maurice, it was unanimous to have Larry mark the correct locations for the weight limits signs and to have the highway department reinstall them, giving the owners/companies the choice of either posting a bond or entering into a RUMA with the township, and to notify Chesapeake about this so they will be sure to have copies of the RUMA in their trucks and the trucks of their subsidiaries. John will set up a meeting with Chesapeake and Eddie so we can explain to them why the weight limit signs are up again – but to let them know that their RUMA is still in effect.

Jim and Carrie Carroll are dissolving their law partnership. Jim is taking a position near Philadelphia with Terry D. Goldberg & Associates, but he intends to keep an office in the Valley and will be here at least one day a week. We have to choose if we want to keep him as our labor attorney or if we want to find someone else. Robin sent him an e-mail to see if we would have to pay travel time if we kept him on and he said no. Cheryl asked if we would be paying the same rate if he was working for another firm. On motion of Jack, second by Robin, it was unanimous to keep Jim Carroll as our labor attorney if he confirms that we will be paying the same rate we presently pay.

On motion of Maurice, second by Jack, it was unanimous to send a \$50 donation to Hope Hospice in memory of Guiles Woodruff. Guiles was a former Athens Township supervisor who recently passed away at his home in Florida.

Page Three  
Athens Township Supervisors  
April 12, 2011

Larry advised Robin that the 2002 Tahoe has been “stripped” and he is asking permission to put it out to bid. Discussion was held. Robin was directed to research Internet sites to see if we can find a site that sells ‘specialty’ vehicles where we might get more money for it (and the Hummer).

Chairman Reagan took the Board into executive session at 8:10 PM. The regular meeting reconvened at 8:19 PM.

There being no further business, on motion of Robin, second by Maurice, the meeting adjourned at 8:20 PM.

Respectfully submitted,

Robin L. Smith  
Secretary