

ATHENS TOWNSHIP SUPERVISORS

October 26, 2011 6:00 PM

The Board held an executive session at 6 PM for personnel. No action was taken.

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October 26, 2011 7:00 PM

Chairman Ronald Reagan called the meeting to order at 7:09 PM. Supervisors also present were Robin Smith, Maurice Fay, Cheryl Wood-Walter and Jack Walter. Attorney John Thompson was also in attendance.

Voice of the Residents:

Shellie Northrup of Sayre was present concerning Senator Scarnatti's Senate Bill 1100 which proposes a model zoning ordinance to regulate oil and gas that could be adopted by the State and take away local control. She submitted amendments of this Bill to the Board for information.

Janet Hoagland of Macafee Road presented pictures of the creek to the Board. She said the road is really bad now – what happens to it when the snow comes? Jack Walter said we have permits for that creek and are looking to get contractors to remove the gravel bars in exchange for the material. Ray said we have 10 permits in all for creeks in the township. Janet asked about tree removal. Robin had received information where the Department of Agriculture and the Department of Corrections were offering crews for stream cleanup. We had applied but haven't heard back yet. Robin will check on that. Jack said we've got most of our flood work done so we can move on to other things. Janet asked about their road repair again. Jack said he has miles of ditches to fix, but we will get there eventually.

Don Johnson of Macafee Road said there is a hole by the stop sign about 4 feet long and 4 feet deep. Ray said there is a drainage problem there that needs to be fixed. Don said DEP told him no one from the township has a permit for the creek. Jack Walter got up from the table to get our permit and handed it to Mr. Johnson. Ron said so many agencies are involved in the permit process, you don't know who you're dealing with. He said he read the Fish and Boat Commission want fees from the gravel.

Dr. Patrick Musto of Orcutt Creek Road said our road crew is almost overwhelmed with these roads. They fix them and they just deteriorate. We should contract it out.

Danny Stark of Clinton Street asked if we'll be getting any convicts. Robin said we have applied but haven't heard yet.

Page Two
Athens Township Supervisors
October 26, 2011

Andy Watkins of Riverside Drive asked what we found out about the lack of fire protection on the east side of the township during the flooding. Maurice said he was told Litchfield was called and would cover that. He added that we used to have 3 – 4 drivers over there and there are none now. That's why the truck is at the Herrick Avenue station. Andy said there was no emergency shelter over there – we should have had the fire station open for them. Cheryl said she didn't understand why the Red Cross didn't open a shelter at the Litchfield School. Maurice said we could have opened the fire hall. Andy said there's a church there, too. Maurice will check with the fire company about opening the fire hall. Andy then asked why are they still hauling to Cohen's. Robin said DEP's remediation plan is being finished up and then it will be done. Andy asked what we're doing about Satterlee Creek. Robin said John Wilkinson has the permit for the creek and is cleaning it. Andy said this is his concern. He asked if the township could get a permit for that. Robin said again that Mr. Wilkinson has a permit for that. Andy asked if Chesapeake would be interested in cleaning the creeks on our permits and Robin said they would have the same option as any other contractor that was interested.

Tim Robinson asked if we can burn flood debris. Robin said it depends on what it is – but you can't burn construction materials. Tim asked if we would get him a dumpster to take care of all the trash on his property next to Cohen's and Robin said the dumpsters are gone now. Tim said it wasn't his trash. He then asked if he piled it up at the stop sign would someone pick it up. Maurice said no, and he better be careful about that.

On motion of Maurice, second by Jack, it was unanimous to approve the minutes of September 28th, October 17th and October 20, 2011 as written.

Clif Cheeks presented two subdivisions for Chesapeake. The first one was the combining of the Chesapeake Athens Office Complex parcel with the Raven Holding Company parcel directly north of it to make it part and parcel. There was one deficiency – lack of owner's signature. Ron asked Dan Sparks of Chesapeake if they had closed on the property yet and Dan said the closing is this Friday. Dan will sign the maps and date them with Friday's date. Robin will not finalize the map until proof of purchase is received. On motion of Jack, second by Maurice, it was unanimous to grant preliminary and final plan approval to this part and parcel contingent upon proof of ownership.

Next was the 5-lot subdivision by lease of the above Chesapeake property. The subdivision maps are attached to the part and parcel maps (as one unit). John Thompson said that would be OK for recording. On motion of Ron, second by Cheryl, it was unanimous to grant preliminary and final plan approval to this subdivision.

Clif then presented the Chesapeake Athens Office Complex Land Development, Phases 1 – 5. Phase 1 will be Nomac and will include the construction of Road B from Wilawana Road to Lamoka Road. This road will require construction inspection and an Improvements Agreement before the township will consider taking it over. All deficiencies have been met. On motion of Robin, second by Jack, it was unanimous to grant preliminary approval ONLY to Phase 1.

Next was Phase 5, which will be Great Plains. The will serve letters have been received, with the exception of the water. Aqua PA is waiting for the developer's agreement for the water line extension. The following deficiencies were still outstanding:

- 1) No developer's agreement for the water
- 2) No HOP (traffic study still in progress)
- 3) DEP Component 3 sewage module needs to be approved

John Baggerly asked when they estimate the completion of Phase 1, and Dan Sparks thought it would be March of 2012. John Baggerly asked if the additional traffic has been considered and Dan said there is a traffic study being completed. On motion of Jack, second by Maurice, it was unanimous to grant preliminary approval ONLY to Phase 5 upon resolution of all deficiencies.

Clif presented Phase 2 which will be Hawg Hauling and Hodges. There will be truck parking in the gravel yard. They also have asphalt parking places with heat plugs. The following deficiencies were noted:

- 1) No HOP (traffic study still in progress)
- 2) DEP NPDES permit still needs major modifications

On motion of Jack, second by Ron, it was unanimous to grant preliminary approval ONLY to Phase 2 upon resolution of all deficiencies.

Next was Phase 3 which will be Midstream. There will be a maintenance shop behind the main 3-story building. This is the smallest site with only 10 acres. All 'back' accesses off Road B will be automatic gates that are motion and card activated. The following deficiencies were noted:

- 1) No HOP (traffic study still in progress)
- 2) No NPDES permit
- 3) No Erosion & Sedimentation Plan approved by Bradford Co. Conservation District

On motion of Ron, second by Jack, it was unanimous to grant preliminary approval ONLY to Phase 3 upon resolution of all deficiencies.

Clif then presented Phase 4 which will be Chesapeake COI (Chesapeake Operating, Inc.). This will be a 4-story office building. They will also be putting in a swale that will go to a large field of infiltrators sized to take the 100-year storm. They feel this will help to alleviate the flooding by the homes along Wilawana Road in that area. The following deficiencies were noted:

- 1) No HOP (traffic study is in progress)
- 2) No DEP permits including the NPDES permit
- 3) No E & S plan approved by Bradford County Conservation District
- 4) Planning Commission requested a dust control plan, which will be provided as per the applicant's engineer.

On motion of Cheryl, second by Robin, it was unanimous to grant preliminary approval ONLY to Phase 4 upon resolution of the deficiencies.

Ron said Road B needs to be put in to our standards. We will need to have a construction inspection engineer for this project. Dan Sparks will get with us before they start Road B. We will also need to execute a developer's improvements agreement before the township will agree to take the road.

The Glenn O. Hawbaker subdivision/part and parcel was postponed until our meeting of November 7, 2011 at noon.

Robin said the Authority has approved the sewage mailer to be signed by the Supervisors for the Walmart Supercenter. On motion of Ron, second by Cheryl, it was unanimous to sign the sewage mailer.

On motion of Ron, second by Cheryl, it was unanimous to grant Walmart a 90-day extension which will expire on February 13, 2012.

Richard Bean reported for the Parks and Recreation Commission. He said Barry's last day will be November 11th. The park will close on November 19, 2011. The park will be open for cross country skiing and hiking after hunting season, when there is snow on the ground.

Ray Brobst had left the meeting. Robin advised the Board that the Ballantines intended to move their fence after receiving the letter from John Thompson, but request an extension because the contractors are tied up with all the flood repairs and the ground will be frozen soon. On motion of Ron, second by Cheryl, it was unanimous to grant an extension until April 1, 2012.

On motion of Cheryl, second by Jack, it was unanimous to have Robin send the press release for contractors to remove gravel from the creeks we have permits for. The notice was approved by John Thompson.

Because Dr. Musto had been waiting, we skipped to the ordinance to guarantee ATA's portion of the Valley Joint Sewer Authority funds for the upgrade. This will have no affect on our borrowing base. John had reviewed the ordinance and it is fine. On motion of Robin, second by Cheryl, it was unanimous to adopt ORDINANCE 2011-09 guaranteeing the ATA portion of the VJSA plant upgrade, with no affect on our borrowing capacity.

John Thompson opened discussion on the rental registration form through our zoning office. He said we could use the form previously submitted if we remove the request for the social security number. Ron explained the form. Roscoe Smith was present and said he thought we had decided not to make the landlords do this. Why are we discussing this again? Robin said it has nothing to do with the landlords – this is something we will be doing in-house with our zoning permits. Robin presented a form she received from South Franklin Township that we could also use. John will draft a form for us to use with our zoning permits. On motion of Robin, second by Jack, it was unanimous to have the final form attached to the zoning permits.

On motion of Robin, second by Ron, it was unanimous to ratify the engineering contract with Dawood Engineering for the Meadowlark Drive bridge.

On motion of Cheryl, second by Robin, it was unanimous to ratify the commitment letter for 20% of the signalization only of the Greens Landing turning lane/traffic signal project. This will hopefully be included in the 2012 TIP program.

On motion of Robin, second by Jack, it was unanimous to adopt both ORDINANCE 2011-07 to bring our Police Pension Plan into compliance with the HEART legislation, and ORDINANCE 2011-08 to bring our Non-Uniform Pension Plan into compliance with the same.

Page Six
Athens Township Supervisors
October 26, 2011

On motion of Cheryl, second by Jack, it was unanimous to allow Robin to go to her PSATS standing committee meeting in Harrisburg on November 14/15, 2011 and to pay her salary for the time she would have worked.

On motion of Jack, second by Cheryl, it was unanimous to accept the monthly Road and Police reports as presented. There was no building permit report, and this was the third month without a fire report. Discussion was held on the fire report situation, but no action was taken at this time.

On motion of Ron, second by Maurice, it was unanimous to pay 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 listed in the meeting agenda.

Ron asked Robin to send Chesapeake a thank you for taking us on a rig tour. Ruth Baggerly said they should put a big thank you in the newspaper for all that Chesapeake did during the flood.

Chairman Reagan took the Board into executive session at 8:32 PM for pending litigation. The regular meeting reconvened at 8:58 PM.

The Board continued to work on the 2012 budget. A proposed budget was agreed upon and will be presented at our November meeting. It will then be advertised for adoption at our meeting in December. On motion of Ron, second by Maurice, it was unanimous that, if any funding is received from FEMA for our flood work, it will be used to first repay the line items and account funds that were drawn upon to balance the budget, with any remaining funds to be placed in the highway materials budget. If not all the monies are received, the line items and account funds will be repaid on an equal percentage basis.

On motion of Jack, second by Robin, it was unanimous to sign the proclamation declaring October 28, 2011 as Marilyn Bok Day in Athens Township.

There being no further business, on motion of Robin, second by Maurice, it was unanimous to adjourn the meeting at 9:48 PM.

Respectfully submitted,

Robin L. Smith, Secretary