

ATHENS TOWNSHIP SUPERVISORS
December 28, 2011 7:00 PM

Chairman Reagan called the meeting to order at 7:05 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:

Jeri Mullen was here on behalf of her daughter, Kylie, who lives on Wilawana Road adjacent to the driveway of the FEMA trailer park. She said they have some concerns they would like to have addressed. The workers will be gone soon, and the road was promised to be paved. All they did was tar and chip and it's all breaking up and going into Kylie's driveway. What happened to the requirement of 200 ft. of paving from Wilawana Road? Ron said the reality is that it is just too late in the year for any paving to be done. She said they are concerned that they will have water problems as well. She asked what will happen to the road when the township plows? Robin said we will not be plowing, as we can't go on private property. That is up to FEMA to contract. Jeri wanted to know who will maintain the fence – mowing around it and such. Cheryl said FEMA will take care of it. Jeri asked if we know who to contact once the workers are gone. Cheryl said to contact your legislators. Robin said to contact her if anyone has issues and she will make the necessary contacts.

Diane Blasi of Wilawana Road said the construction vehicles have left ruts in the lawns at the corner. The soccer drive is a mess. Maurice said he has put all these concerns on a list and given it to Eddie. He will take care of it. Diane said the water is causing a problem. Maurice said he will look into it on Monday when he comes back from Virginia. She added there was no fence around the detention pond. Ron asked Diane if they extended the privacy fence for her and she said they did.

Susan Loomis of Winslow Street is upset about the Walmart expansion and the Callear's expansion. She asked if Callear's will be building a road behind her house to make it a circle. Robin said we don't know at this point – plans had been submitted but they were rejected by Ed and have not been resubmitted to date.

Jim Andrews of Wilawana Road presented a picture of his back yard to the Board and asked if we could tell him what was wrong in it. He said the FEMA contractors line up all their construction equipment and shine their headlights at their houses at 10 – 11 PM at night. He said we're not building the space shuttle here – this is not rocket science. Don't point your lights at the houses. He said they are driving through the soccer field road to the "shantytown". That is not a road. We need to stop people from using the road. "We're not building the space shuttle here – it's easy, people". Ron advised him to talk to the soccer people and ask them to stop them from having access.

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Diane Blasi said they have been very disrespectful to the residents and the community. These are our local contractors. Someone should go back to Mike Austin and have him shut it off. They're not supposed to be using that.

Jim Andrews asked if anyone on the Board has a "shantytown" in their back yard. He said, "I do!"

Diane said they have two roads into the park now – there is no need for them to be using the soccer road. Robin said she will call Mike Austin and Jack Shuback in the morning and ask them to take care of this.

On motion of Maurice, second by Jack, it was unanimous to approve the minutes of November 30, 2011 as written.

Clif Cheeks presented the Microtel Inn & Suites land development on Elmira Street for review. Gary Burcher of Keystone Consulting and Associates was present to explain the project. Clif Cheeks said there had been 13 deficiencies, and all have been met. Gary said Microtel worked with the fire chief and code inspectors through the development of the project. They will have an on-site fire hydrant. There will be a new driveway. Storm water will be contained through infiltration under the parking lot. This will be a non-extended-stay hotel. Ron asked what that is. They said people generally don't stay more than one or two nights. The rooms will have microwaves and refrigerators, but will not be set up for a long stay. There will be 77 rooms. Ron asked if they have submitted their plans to Code Inspections, Inc. and they have. Jack Walter asked if the Planning Commission is satisfied and Clif said yes.

Susan Loomis of Winslow Street said the Board has "sold us out". Four hotels??!! Jack said we have not 'sold her out' – these are people who have the right to do things with their property. Susan said we just change our zoning book to let these things happen. She has been told there is nothing she can do about it. She said she is hiring an attorney.

Chairman Reagan recessed the regular meeting at 7:40 PM to hold a public hearing on this issue. There being no further comment, the regular meeting reconvened at 7:41 PM. On motion of Maurice, second by Cheryl, it was unanimous to grant preliminary approval to the Microtel Inn & Suites land development.

Clif then presented the Walmart subdivision for review, parcel 1 to become part and parcel with the current Walmart parcel. Parcel 2 will not be purchased. Chairman Reagan recessed the regular meeting at 7:46 PM to hold a public hearing on this issue. There being no adverse comment, the regular meeting reconvened at 7:47 PM. On

motion of Robin, second by Jack, it was unanimous to grant preliminary and final plan approval to this subdivision, contingent upon receipt of the owner's signature on the plans.

Next was the Walmart Supercenter land development. Skip Schneider of CEI Engineering explained the plan to the Board. The phasing of the old store to the new store has been incorporated. Parking will be in the same place. The NPDES permit has been issued. PENNDOT has reviewed the plan. Truck docking will be off Winslow Street. Ron asked if there would be night deliveries. Susan Loomis said there would be. Ron asked what the hours of construction would be and Skip said they are not planned to be 24-hour. Maybe when the shell is up, they would work later inside. Walmart will be upgrading the intersection at Winslow and Elmira Streets. We will need a developer's agreement for this. Discussion was held. Chairman Reagan then recessed the regular meeting at 8:10 PM to hold a public hearing on this issue. There being no further comment, the regular meeting reconvened at 8:11 PM. On motion of Jack, second by Robin, it was unanimous to grant preliminary plan approval to this land development contingent upon the owner's signature(s) on the plan; the highway occupancy permit received; the developer's agreement received for the Elmira and Winslow Streets intersection; and Conditional Use approval received for the 3 potential businesses to be located inside the Supercenter.

The Conditional Use Hearing for the Senior Healthcare Solutions project will be held on February 9, 2012 at 6:30 PM. Robin will do the legal notice and John will secure a stenographer for the hearing.

Ray Brobst did not attend the meeting tonight.

On motion of Jack, second by Maurice, it was unanimous to send Ray to the "Managing Multiple Priorities, Projects and Deadlines" class in Binghamton on February 28, 2012.

Robin said she received a letter back from PENNDOT and they will allow the prohibition of engine brake retarders on portions of Front Street in East Athens. Maurice asked if we are still receiving complaints on this issue and questioned whether or not we need to do this. Robin said he was the one that brought the issue to the Board – do you want to move forward? Our new supervisor, Christine Vough, was in attendance and she lives on Front Street. The Board asked if this is still a problem over there and she said it has gotten a little better, but the ordinance would be wonderful. Discussion was held. On motion of Jack, second by Robin, it was unanimous to advertise the ordinance for adoption at our meeting of January 25, 2012.

The Betty Jo Morris repair has not been completed as yet. Maurice said they plan to clean out the tanks after they're done repairing the ditches. Jack said he would like to put two more additional tanks in there as well.

Robin received a letter back from PENNDOT stating they will allow the speed limit to be lowered from 55 mph to 45 mph on the stretch of Route 220 between Milan and Greens Landing, including Hawbaker's. Robin said we would need to draft an ordinance for that. On motion of Ron, second by Robin, it was unanimous to have John draft the ordinance and advertise it for adoption at our January 25, 2012 meeting.

Ron said he and Robin will step away from the police union negotiations and Maurice and Christine will take over.

On motion of Robin, second by Cheryl, it was unanimous to adopt RESOLUTION 2011-14, setting the millage for 2012 at 11 mills. This is the same rate as 2011.

On motion of Ron, second by Robin, it was unanimous to adopt RESOLUTION 2011-15, setting the contribution to the Athens Township Volunteer Fire Company at \$93,100 for 2012. Maurice reported that the fire company had received a \$10,000 donation from Chesapeake Energy for the work they did in the flood and for housing the displaced residents at the fire hall.

On motion of Maurice, second by Jack, it was unanimous to adopt RESOLUTION 2011-16 adopting the 2012 budget as advertised with no tax increase.

On motion of Ron, second by Maurice, it was unanimous to send Ed Reid to the Certified Floodplain Management classes March 25 – 30, 2012 in Scranton, and to pay his expenses and his salary for the time he would have worked.

On motion of Ron, second by Cheryl, it was unanimous to approve the PSATS invoice for 2012 with the addition of Christine to the Township News subscription.

On motion of Robin, second by Maurice, it was unanimous to pay the 2011 dispatching invoice (for 2011) in the amount of \$3,034.80. The invoice was dated December 13, 2011.

Robin said we had received letters from the County stating they had refunded 115 days of taxes (after lowering the assessments) for 5 flood-damaged homes in the township, and recommended we consider refunding our share of the taxes. On motion of Jack, second by Maurice, it was unanimous to have Ginger Kinner calculate the refunds for the 5 properties and have Ruth send a refund to the affected residents.

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On motion of Jack, second by Maurice it was unanimous to ratify the Notice of Intervention to be filed by John Thompson in the case of the Walmart assessment appeal.

On motion of Ron, second by Maurice, it was unanimous to allow those interested in attending the PSATS Convention in May, 2012 to go, and to have Jack Walter be the voting delegate for the township.

On motion of Maurice, second by Cheryl, it was unanimous to accept the monthly reports as presented. We received 5 fire reports, so we are now up-to-date.

On motion of Cheryl, second by Maurice, 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.

Christine Vough said the flags on the Route 199 bridge look very nice.

Chairman Reagan took the Board into executive session at 8:55 PM for personnel issues. The regular meeting reconvened at 9:30 PM.

On motion of Robin, second by Cheryl, it was unanimous not to waive the fee for the highway occupancy permit for Verizon on Lamoka Road, and to have John Thompson look into whether or not we can require them to bore under the road instead of cutting it.

On motion of Robin, second by Cheryl, it was unanimous to have John Thompson draft and advertise for our January meeting an ordinance requiring anyone to bore under our paved roadways instead of cutting into our roads.

On motion of Jack, second by Cheryl, it was unanimous to pay the invoice from Valley Energy for the damage caused by Randy hitting their gas line on Gateway Industrial Park Road when the line was marked.

On motion of Jack, second by Cheryl, it was unanimous to terminate the employment of Patricia Brown by the township as soon as she can be notified.

There being no further business, on motion of Ron, second by Cheryl, it was unanimous to adjourn the meeting at 9:35 PM.

Respectfully submitted,