

MINUTES

Antis Township Board of Supervisors Meeting

July 17, 2013, Antis Township Meeting Room

7:00 PM

ATTENDANCE

MEMBERS PRESENT:

Raymond Amato, Robert Smith, Charlie Taylor, Kenneth Hostler, Charles Caracciolo II

VISITORS:

Joe Smyder, Resident; Bob Himes, Resident; Bill Plummer, Resident; Bob Himes, Resident; Betty Jacobus, Resident; Dave Fowler, Resident; Sam McCloskey, Resident; Donald Carnell, Employee; Kathy & Dennis Smith; Kelly Cernetich, Altoona Mirror; Chris Arseniu, Ordinance Enforcement Officer; Steve Shiffler, Road Foreman; Patrick Fanelli, Andrews & Beard; Chris Dutrow, Stiffler McGraw & Associates; Lori Del Biondo, Township Secretary-Treasurer; Lucas Martsolf, Township Manager

The meeting was called to order at 7:00 p.m. by Raymond Amato, followed by Pledge of Allegiance.

During the Public Comment Period Betty Jacobus confronted Supervisor Smith regarding rumors in the community surrounding allegations of charges that were brought against him. Supervisor Smith responded that charges have been filed and he is working through a process with his attorney to address these legal matters.

Dave Fowler requested clarification on whether or not he would be required to hook onto a proposed extension by the Bellwood Borough. Attorney Fanelli responded that our current ordinance states that you must hook on if you are within 150 ft. of a property line. However, in researching the subject he discovered that our ordinance does not comply with the Second Class Township Code, which states that the distance is to be measured to the structure, and therefore would not be enforceable. We are working to amend the current ordinance to comply with the code. It was confirmed with Mr. Fowler that he would not have to hook on.

Cathy Smith read a statement on behalf of the residents who live in Bel Aire Estates regarding the paving on Sarah Drive and Franklin Circle. Ms. Smith stated that the residents are not satisfied with the paving because the cul de sacs on those streets were eliminated from the program. Mr. Marsolf responded that it was determined that the cul de sacs were structurally sound and did not need paving. He further commented that the job is not complete and the Township plans to have the cracks repaired and a seal coat applied.

The June 6 CDBG 2013 Public Hearing Minutes, the June 6, 2013 Board of Supervisors Meeting Minutes and the June 20, 2013 Special Meeting Minutes were approved on the motion of Bob Smith, seconded by C.J. Caracciolo followed by a 5-0 yes roll call vote.

Supervisor's Reports

1. Ray Amato

- Mr. Amato reported the pool is being heavily used this season.

2. Bob Smith

- Mr. Smith reported that the sewer project in Tipton is estimated to be about one third complete and approximately \$1M has been expended. He also reported that Northern Blair incurs cost to reduce I & I into the system and they are looking at how they can make homeowners responsible.

Attorney Fanelli presented a proposal to amend the nuisance ordinance as it relates to tall grass. The Ordinance Enforcement Officer reported that filed citations related to tall grass are being dismissed by the local magistrate because the ordinance is not specific enough (i.e. the height of grass is quantifiable). Supervisor Taylor commented that he does not believe the Township should regulate nuisances because there are other means of resolution in the civil suit process. On the motion of Bob Smith, seconded by Ken Hostler the attorney was instructed to prepare the ordinance incorporating language as appropriate to option # 2 in his proposal (without a designated perimeter) and advertise for adoption as soon as practical. The motion carried with a 3-2 yes roll call vote with Charlie Taylor and Ray Amato voting no.

Attorney Fanelli reported that he discovered that the mandatory tap-on ordinance is not in compliance with the Second Class Township Code. The Second Class Township Code only authorizes a mandatory tap-on if you are within 150 feet of a structure rather than property line as is stated in our current ordinance. Attorney Fanelli recommended that we modify that part of the ordinance to be consistent with the Second Class Township Code. On the motion of Bob Smith seconded by Ken Hostler followed by a 5-0 yes roll call vote, Attorney Fanelli was directed to amend the ordinance to comply with the Second Class Township Code and do the required advertisement.

Attorney Fanelli presented information regarding a request by the developer for the Days Inn to assist in his endeavor to acquire financing for the project. He further stated that the Township is under no obligation to honor the request. The bank is asking for a recordable instrument to memorialize what was approved with the project. In this case, the land development was originally presented as an office/retail space and was later changed to a hotel construction on the exact footprint of the original plan. The bank is requesting a simple declaration that indicates we approved the change. The bank is also requesting a recorded completion certificate that indicates all of the improvements have been satisfactorily completed. Supervisor Taylor indicated he is not interested in making certifications that our engineer does not do. Our review letter from our engineer always includes a disclaimer. Supervisor Taylor indicated that he believes there would be some risk to the Township if we certified that the work was completed satisfactorily. We would be relinquishing our right to take corrective action if a problem surfaces in the future. The only way we could certify each step in the process would be if there was an inspector on-site. It was the consensus of the Board that our solicitor contact the developer's solicitor to determine what, if any, other options would be considered.

Chris Dutrow reported that he performed a site visit in response to a complaint pursuant to drainage onto a property along N. Hawthorne Drive. He concluded that he did not find any indication that the Township in any way is creating the problem. He believes it is a civil matter between the adjoining land owners

Mr. Dutrow also reported that the Forshey Street topographical survey is complete and hopes to be in a position to have the design near complete by the August meeting so that they can request authorization to advertise for construction bids.

The Treasurer's Report was approved on the motion of Charlie Taylor, seconded by C.J. Caracciolo followed by a 5-0 yes roll call vote.

It was noted that bills in the amount of \$33,267.45 were paid from the General Fund as authorized at last month's meeting.

Bills in the amount of \$8,803.53 to be paid from the State Fund and \$3,148.50 to be paid from the Capital Reserve Fund were approved on the motion of Bob Smith seconded by C.J. Caracciolo followed by a 5-0 yes roll call vote.

CDBG bills in the amount of \$1,328.31 were approved on the motion of Ken Hostler, seconded by Charlie Taylor followed by a 5-0 yes roll call vote.

The Q2 Earned Income Tax transfer (as listed below) from the General Fund to the Equipment and Capital Improvements Funds was approved on the motion of Ken Hostler, seconded by Bob Smith followed by a 5-0 yes roll call vote.

Fund Distribution **

Total EIT Receipts	\$ 166,130.74
Capital Reserve Fund (6%)	\$ 9,967.84
Equipment Fund (15%)	\$ 24,919.61
Total Transfer	\$ 34,887.46

General Fund (79%) \$ 131,243.28

The Electronic Use Policy was approved for adoption as presented on the motion of Bob Smith, seconded by Charlie Taylor followed by 5-0 yes roll call vote.

The purchase of seven iPads to be used in lieu of paper meeting packets at a total cost of \$3,386.81 were approved on the motion of Bob Smith, seconded by Ken Hostler followed by a 5-0 yes roll call vote.

Approval was given to release \$500 as allocated to the Bellwood-Antis Community Picnic in the 2013 Budget on the motion of Ken Hostler, seconded by Bob Smith followed by the 5-0 yes roll call vote.

With no other business brought before the Board the meeting adjourned at 8:45 PM.

Submitted by:
Lori Del Biondo
Antis Township Secretary-Treasurer