

JEFFERSON TOWNSHIP

REGULAR MEETING

July 12, 2021

CALL TO ORDER:

The regular meeting of the Jefferson Township Board of Supervisors held at the municipal building at 157 Great Belt Rd., Butler, PA, was called to order by Chairman John Cypher at 7:00 P.M. on July 12, 2021. All rose to pledge the flag.

ROLL CALL:

Those present at the meeting were Chairman John Cypher, Vice-Chair. Lois Rankin, Supervisor Braden Beblo, Sec/Treas. Lois Fennell, and Manager Leo J. Rosenbauer, III.

ANNOUNCEMENT: None.

PUBLIC COMMENT ON THE AGENDA AS PRESENTED: None.

MINUTES:

Motion by John Cypher to approve the June 14, 2021 regular meeting minutes as written and distributed. *Seconded* by Braden Beblo. All agreed and *motion carried*.

FINANCIAL:

John Cypher read the financial report as follows: Bills paid between June 14th meeting and the July 12, 2021 meeting totaled \$3,155.63. Bills paid from the General Fund bills this evening totaled \$15,525.13. The balance of all funds after payment of the bills presented totaled \$2,286,508.28 (this amount includes the first half of the American Rescue Plan Allocation (ARPA) provisional funds received. *Motion* by John Cypher to pay the bills presented and any others that come and are due prior to the August 9, 2021 meeting. *Seconded* by Braden Beblo. All agreed and *motion carried*.

PUBLIC BUSINESS OR COMMENT: None.

RECREATION BOARD REPORT:

Brian Patten was present to report on the July 7, 2021 Recreation meeting. Baseball season is over for the younger groups; Pony and Colt teams are still playing. Some tournaments are coming up. Fall Ball registration is open and proposed season dates are Aug. 28th through the end of October. www.saxonburgbaseball.com Pool memberships are up this year and business has been good. SEBCO will be hosing the 8U Swim Club Championships on July 10th from 8 to 10 AM. www.sebcopool.com Softball's regular season is over. 14U and 18U playoffs are week of July 12th. They are planning to host a summer tournament, August 6 – 8; they expect 20 to 22 teams to participate. Fall Ball registration will open after the tournaments (Ages 8U, 10U, 12U, 14U, and 19U) www.sagsa.org Soccer's Fall registration is open. They will be holding a day camp for U10 and older players August 2nd through August 5th. www.knochsoccer.org One Action Item: Soccer wants to repaint the bollards at the soccer field entrance. The Township Road Dept. does not have any paint left (safety yellow), but Soccer could buy a gallon for about \$50. It was understood they will have volunteers do the painting.

ROAD REPORT:

John Cypher read the road report submitted. The second berm-mowing has been completed. There were several 'call outs' for trees down (storms on June 19, July 7, & July 11.)

Bonniebrook driveway adjustments haven been completed. Bonniebrook shoulder backup is scheduled for the last week in July. Road will be closed in sections; work being done in conjunction

with the Summit Township Road Department. There have been many complaints from residents and the road crew about speeders and over-weight vehicles on Bonniebrook Rd. and cars passing on a double yellow line in a work zone while road work was in progress!

The 99 International passed inspection this summer, however, it will NOT pass in July 2022. The frame rails are separating and the rear cab mounts are rusting out, according to Dinnerbell Garage. There is an urgency to plan for replacement (cost of at least \$200,000). This truck is 23 years old and is one of our 3 main plow trucks. The 2015 Ford F550 needs to be taken to Keystone Spring for rear broken springs on each side and to replace damaged wheel studs on the front right wheel. The 2019 Ford F550 will need to be taken to Super City in Somerset to get the new tailgate fitted; cost will be approx. \$2000.00. Lois Rankin inquired as to whether this is covered by insurance. The road foremen reported this evening that the JD boom mower was just serviced for \$1900.00 and now the water pump needs to be replaced again (\$500 plus road crew labor.)

There is a water issue along O'Hara Road. Landowners, township manager and road foremen are working on a plan of action. There is also a drainage issue along Hannahstown Rd. on which they are contemplating a plan of action. Lois Rankin mentioned a drainage issue at Whitaker Rd. that should be investigated.

The road crew will be assisting with the removal of two (2) trees along Becker Rd. on July 14th or 15th; the road will be closed in the morning for the work to be done.

The road foreman, manager, and LTAP representative will be meeting on July 21st at 10:30 AM at the township to get information on a new product called "reclamite", which is supposed to help preserve hot and warm mix asphalt. Supervisors are invited to attend if they desire.

Park maintenance is continuing as needed.

PLANNING COMMISSION:

Leo Rosenbauer (Planning Chairman) reported on the June 21, 2021 P.C. meeting. The P.C. reviewed the Marlen Lang Subdivision on Bonniebrook Rd. The property is partly in Summit Township. The Township received the application, drawings, septic walk-around report from the SEO, the Butler County review letter, a non-building waiver form (signed by the owner and the SEO) and a modification request. Lot 1 with the house will be 2.77 acres. The residual (on both sides of Sheetz) will be 43.06 acres (190-1F153-13 originally 45.83 acres less Lot 1 of 2.77). Chairman Rosenbauer suggested four (4) contingencies: 1) water well location needs to be indicated on the plan; 2) submission of a letter of waiver for requirements in Chapter 5 and 7 of the SALDO (Subdivision and Land Development Ordinance) for a minor subdivision (which includes topography, wetlands, streams, etc.); 3) the Stormwater Clause needs to be inserted onto the plan; and 4) deletion of the items 'removed' since the drawing preparation by Graff Surveying (such as the arena and fencing). The P.C. voted to approve the modification request for the drawing scale to be less than 1" = 100 ft. and then voted to approve the Marlen Lang Subdivision with the 4 contingencies listed. The Supervisors viewed the plan on July 12, 2021. John Cypher *moved* to approve the drawing scale modification. *Seconded* by Lois Rankin. All agreed and *motion carried*. *Motion* by John Cypher to approve the Marlen Lang Subdivision as presented (with contingencies met). *Seconded* by Lois Rankin. All agreed and *motion carried*.

The P.C. reviewed the J. Hutterer Lot-Line Revision on Jones Rd. The Township received the application, drawing, the Butler County review letter, and a DEP Planning Module. Lot 1 will be 1.51 acre (190-1F155-27A originally 4.03 acres plus 1F155-10BA of .21 acre less Tract A of 2.73 acres.) Lot 2 will be 3.72 acres (1F155-27B of .99 acre plus Tract A of 2.73 acres). The P.C. voted to approve the DEP module subject to final review by the manager and the SEO. Then the P.C. voted to approve the J. Hutterer Lot-Line Revision contingent upon submission of a letter of waiver for requirements in Chapter 5 and 7 of the SALDO (Subdivision and Land Development Ordinance) for a minor subdivision (which includes topography, wetlands, streams, etc.) The Supervisors reviewed the plan on July 12, 2021. *Motion* by John Cypher to approve the J. Hutterer Lot-Line Revision contingent upon satisfactory review of the DEP module by the manager and the SEO (and approval by DEP.) *Seconded* by Lois Rankin. All agreed and *motion carried*.

PLANNING COMMISSION, cont.:

The P.C. reviewed the Floyd W. & Pearl E. Lauer Lot-Line Revision on Trempus Lane. The Township received the application, drawing, and the Butler County review letter. Lot 1(190-1F96-16 originally 0.903 acre plus Parcel A of 1.202 acre) will be 2.13 acres. Lot 2 (190-1F96-19 originally 4.310 acres less Parcel A of 1.202 acre) will be 3.108 acres. Chairman Rosenbauer suggested two (2) contingencies: 1) submission of a letter of waiver for requirements in Chapter 5 and 7 of the SALDO (Subdivision and Land Development Ordinance) for a minor subdivision (which includes topography, wetlands, streams, etc.) and 2) a notation on both Lots 1 and 2 stating they cannot be subdivided. The P.C. voted to approve the Floyd W. & Pearl E. Lauer Lot-Line Revision with 2 contingencies as stated above. The Supervisors reviewed the plan on July 12, 2021. *Motion* by Lois Rankin to approve the Floyd W. & Pearl E. Lauer Lot-Line Revision as presented (with contingencies met.) *Seconded* by Braden Beblo. All agreed and *motion carried*.

The P.C. reviewed the Robert Pettigrew modification request on Fisher Rd. He originally proposed to build a shed only 10 ft from the rear property line (a 15' modification). A notarized letter of permission was submitted from the neighbor Marilyn Simmons. As suggested, the P.C. voted to approve a 15 ft. set-back (a 10' modification) which should keep the shed off the leach field. Mr. Pettigrew agreed to the 15 ft. set-back following a brief discussion. The Supervisors reviewed the modification request this evening. *Motion* by Braden Beblo to approve a 15 ft. set-back (a 10 ft. modification) for Robert Pettigrew at 308 Fisher Rd. *Seconded* by Lois Rankin. All agreed and *motion carried*.

The P.C. reviewed the Mitchell Thrower modification request at his property on Saxonburg Rd. He does not live at the house which was converted into 3 apartments (sometime between 1972 and today) so it must be deemed 'commercial' and a land development should be submitted. He proposes to build a 30' x 40' pole building with a side set-back of 25 feet (should be 40 ft. for commercial.) Chairman Rosenbauer noted that he has three (3) adjacent odd-shaped lots and there is not a full, clear picture of what is going on. There was more discussion on the requirements for 'commercial' under the PA Uniform Construction Code. The P.C. voted to deny the Mitchell Thrower modification request as presented and the proposed incomplete lot-line revision. There was significant discussion at the July 12, 2012 meeting. Mr. Rosenbauer noted that Mr. Thrower needs to consider: 1) combining the lots; 2) submitting a formal land development; and 3) *then* submit a set-back modification request. *Motion* by John Cypher to deny the Mitchel Thrower modification as requested and the proposed incomplete lot-line revision. *Seconded* by Lois Rankin. All agreed and *motion carried*.

Lloyd and Luke Brewer were present to discuss with the P.C. a possible subdivision of the Neupert Road property. A hand sketch from the Township's SEO was reviewed along with a print from county mapping showing the property. They *proposed* a 50 ft. right-of-way with a cul-de-sac for four (4) lots, however, the P.C. members explained that 4 lots would kick in a 'public road' requirement. Chairman Rosenbauer presented a possible scenario with 3 lots (one owned by Jeanne Maurhoff, plus two additional lots on the proposed private lane.) The private lane would need to be built to township specs short of paving and will NOT become a public (adopted) road. Lloyd Brewer said his two lots would be roughly 12 acres each and one will be a 'non-building' lot. The original house will be divided on a separate lot which will have its own frontage (cannot have use of the private road) and this lot will not be able to be subdivided. Discussion included: One parcel must own the driveway; they must have a recorded maintenance agreement; and they must have a recorded Operations and Maintenance Agreement for the stormwater. The Brewers will contact their surveyor to begin the process. No action for the Supervisors to take this evening.

P.C. Chairman Rosenbauer reported to the P.C. that Kevin Miller presented a 'letter of withdrawal' of the Stoneybrook Phase II Land Development in lieu of a time extension to avoid having the Supervisors vote to deny the plan (*as had been recommended by the P.C. on May 17, 2021.*) The Supervisors voted to accept this 'withdrawal' on 6/14/21.

PLANNING COMMISSION, cont.:

P.C. Chairman Rosenbauer showed the P.C. a sketch for property owned by Mr. Rennick near the corner of Great Belt and Bonniebrook Roads. He requested an address for Lot C, which has 125' frontage, but also asked if he could use his brother's driveway (the pole of flag lot -Parcel B). The P.C. agreed that he must have his own driveway onto Great Belt Rd.

P.C. Chairman Rosenbauer asked for comments as to whether to require a 'fee' submission for modifications. The P.C. members had mixed opinions. John Cypher said we need to look at the entire fee resolution for possible revisions besides the proposed fee for modification applications. Evie Gross suggested looking at the ordinances in regard to site distance and road access.

UNFINISHED BUSINESS:

Summit Township is owed \$389,808.98 for the binder course and inlet adjustment + rebuilding on Bonniebrook Rd. (Multimodal Grant project). Manager Rosenbauer reported a 675.94 ton overage. *Motion* by John Cypher to authorize payment **subject to** final review and correction of drainage issues (i.e. in the Wiefling/Schnur area and at the southwest corner of Great Belt intersection.) *Seconded* by Lois Rankin. All agreed and *motion carried*.

Only one RFP (request for proposal) was received, from HRG, Inc. Total \$32,425.00. This would be paid from CDBG Admin. Funds from prior years. *Motion* by John Cypher to award the contract to HRG, Inc. **contingent** upon proper rating/review to satisfy CDBG criteria. *Seconded* by Lois Rankin. All agreed and *motion carried*.

An email was received from Wendy Leslie, Butler Co. CDBG Coordinator, regarding the COVID-19 CDBG funds. So are there have been NO qualified 'rent/mortgage/utility assistance' applicants, so we need to think about reallocating, but uses are very restrictive and must be used 'to respond to, to prevent, and/or to prepare for COVID-19.'

NEW BUSINESS:

The Act 13 Impact Fee Distribution of \$113,561.84 was received. It is \$13,561.84 more than budgeted for 2021. Also, we received the first half of the American Rescue Plan Allocation (ARPA) of \$274,338.00. A Supplemental Budget Resolution (#471) needs to be adopted for these 'additional funds' for possible use in 2021. *Motion* by John Cypher to adopt Resolution #471. *Seconded* by Lois Rankin. All agreed and *motion carried*.

Manager Rosenbauer reported that since fuel prices have increased in the last year (up \$.75 cents for diesel and \$.975 for e-gas), we should consider 'bidding' fuel out for the next year. *Motion* by John Cypher to authorize advertisement of diesel fuel, regular gasoline and no-ethanol gas. Bids to be opened at the Aug. 9, 2021 meeting. *Seconded* by Lois Rankin. All agreed and *motion carried*.

The PSATS Centennial Celebration Dinner is Thurs., Oct. 14th and the Business Meeting is Friday, Oct. 15th. Registration begins on Aug. 2nd. Lois Rankin is interested in attending. *Motion* by John Cypher to authorize Lois Rankin to attend (and pay the usual expenses such as registration, mileage, meals, etc.) and to appoint her as voting member for Jefferson Township. *Seconded* by Braden Beblo. All agreed and *motion carried*.

Senate Bill 554 was approved and becomes effective Sunday, August 29, 2021. It requires posting of the 'agenda' 24 hours in advance of a public meeting ...other regs apply, such as posting on the door and website, and when/if items can be added to the agenda after posting.

MISC. BUSINESS:

Notice was received from Civil & Environmental Consultants, Inc. that PennEnergy Resources is applying to DEP for coverage for a Permit to Drill & Operate an Unconventional Well (W76) located off Ekastown Rd. in Buffalo Township.

An update was received from the South Butler Community Library on summer activities and a summary of their Trustees virtual meeting on 6/9/21. They also sent a request for an item or a basket for this year's Booktoberfest (needed July 23rd) (or a donation.) Lois Rankin agreed to do a basket to donate, as was done in 2018 and 2019. *Motion* by John Cypher to reimburse Lois Rankin for costs (up to \$50.00 for the basket.) *Seconded* by Braden Beblo. All agreed and *motion carried*. For more information go to: www.southbutlerlibrary.org

The Fall Forum for our area is in Erie, PA on Tues., July 20th. Lois Rankin is interested in attending. *Motion* by John Cypher to authorize any supervisor interested to attend and to authorize usual expenses (registration, mileage reimbursement, meals, etc.) *Seconded* by Braden Beblo. All agreed and *motion carried*.

Leo Rosenbauer introduced a sketch from Peoples Gas due to their inquiry/proposal to install a new 'plastic pipeline' in the right-of-way of West Jefferson Rd. from north of Smith Rd. to approx. location of Creek Rd. intersection. They already have a right-of-way – steel pipeline – off the township right-of-way. Mr. Rosenbauer said this is NOT a good route; it will be on our road berm between the road and the line of trees and utility poles. It would make future maintenance or stormwater control alterations very difficult for the township. Chairman John Cypher said that he would not vote in favor of such a proposal.

Lois Rankin asked for an update on the Zanotti violation. Mr. Rosenbauer said it appears they are making slow progress.

ATTENDANCE:

William Foertsch, Kenna Tascarella, Floyd Lauer & son, Robert Pettigrew, Jim Rankin, Brian Patten, Marlen Lang, Mitch Thrower, Evie Gross.

ADJOURN:

Motion by Braden Beblo to adjourn at 9:27 PM. *Seconded* by Lois Rankin. All agreed and *motion carried*.

NEXT MEETING:

The next regular meeting will be Monday, August 9, 2021 at 7 P.M. at the municipal building.