

# JEFFERSON TOWNSHIP

## REGULAR MEETING

February 13, 2017

### CALL TO ORDER:

The regular meeting of the Jefferson Township Board of Supervisors, held at the municipal building on 157 Great Belt Rd., Butler, PA, was called to order by Chairman John Cypher at 7:00 P.M. on Feb.13, 2017. All rose to pledge the flag.

### ROLL CALL:

Those present were John Cypher, Lois Rankin, Braden Beblo, Sec/Treas. Lois Fennell and Attorney Matt Marshall.

### ANNOUNCEMENTS:

Chairman Cypher noted that the Supervisors met for a brief executive session on 1/17/17 at 8:45 AM after receiving an Oil & Gas lease proposal for the park from Penn Energy via e-mail. It was forwarded to the Attorney for review. They met this evening in executive session at 5 PM re: labor issues and met briefly in executive session with the Attorney at 6:30 PM this evening re: ongoing legal matters.

PUBLIC COMMENT ON THE AGENDA AS PRESENTED: None.

### MINUTES:

John Cypher *moved* to approve the Jan. 3, 2017 reorganizational & regular meeting minutes as written and distributed. Lois Rankin *seconded*. All agreed and *motion carried*.

### FINANCIAL:

Bills paid between the Jan. 3rd and Feb.13, 2017 meetings totaled \$147,964.78. This includes the purchase of the new Mack truck. Bills presented for payment from the General Fund this evening totaled \$41,744.82 which include the 2017 'donations' to the volunteer fire departments, the library and the humane society. No bills were presented from the State Fund this evening. Total of all funds after payment of the bills was \$1,318,456.97. *Motion* by John Cypher to pay the bills presented plus any regular bills that may become due before the March 13, 2017 meeting. *Seconded* by Braden Beblo. All agreed and *motion carried*.

PUBLIC BUSINESS OR COMMENT: None.

### RECREATION COMMITTEE:

Recreation Committee Chairman, Brian Patten, reported on the Feb. 1, 2017 meeting.  
Baseball: They are seeking approval from the County to bring 50 to 60 tons of clay dirt from the Clinton Township Rt.228 'roundabout' project to use as infield dirt and other fill for various fields in the park. If approved, they will stage the dirt at the back edge (near the woods) of the gravel parking lot north of the Pony outfield fence. Registrations are currently open - see the SABA website for details: [www.saxonburgbaseball.com](http://www.saxonburgbaseball.com) Opening day is April 29th. They are planning an 11U tournament June 17-18. They have asked the Township to look at the drainage in the area between the T-ball and the Farm Fields (between fences) is not draining well. They have offered to help with the installation of a drain, if needed. They have again asked for access to the video footage from the security cameras. The Rec. Committee and Supervisors, as well as the road foreman need to meet together with Thrower Communications to review access. Baseball will need 2 dumpsters again this year. The first one should be located near the dirt bin at T-Ball Field (same as last year), but they are looking at a different location for the 2nd one...they will be reviewing possible site to determine accessibility for the garbage trucks, proximity to playground, etc. Brian

## RECREATION, cont.:

is to let the township secretary know when it has been determined and they will have the site marked for the driver! Baseball is still pursuing the lighting of at least one field in order to hold night games.

Softball: Softball is still interested in the lighting project and hopes they can partner with Baseball on it.

Registration is open until the end of February - see the SAGSA website for more information:

[www.sagsa.org](http://www.sagsa.org) Renovations to the concession stand are almost completed. Jim Jones asked that the park gates be opened beginning March 1st. because the High School gates are scheduled to start March 6th. They have noticed a lot of scooters, skate boards, etc. using the sidewalks and requested signs be posted to prohibit. After discussion at the Feb. 13th Supervisors' meeting, it was agreed that the "Park Rules and Regulations" document be reviewed and changes/corrections be proposed at a workshop set for 6 PM on March 1st (prior to the regular Rec. Committee meeting.) They have a tournament scheduled for July 21-23.

Pool: The Pool Association is beginning plans on a 50th anniversary celebration of the 'pool opening' this year. Possible date is August 12th, but details are still being worked on and will be announced as they become available. The 2017 admission rates for the pool will be the same as 2016's. They are searching for life guards for the 2017 season. Applications are available on their website: [www.sebcopool.com](http://www.sebcopool.com)

They expressed thanks to the township road crew for addressing the water drainage behind the bath house. They would like the Township to look at the oak tree next to the fence, close to the sliding board, which is dying and asked if the road crew could cut it down. The Supervisors said the tree needs to be marked or someone needs to meet the road foreman to show him the tree. They agree that all parties need to meet with Thrower Communications to review access to the security cameras.

Soccer: Soccer registration is open; travel teams ending very soon and in-house teams closing at the end of February. Spring clean-up is set for Sat., March 18th. Season opening is April 8th. They are planning a tournament in July sometime. Website: [www.knochsoccer.org](http://www.knochsoccer.org)

Park Projects: All member associations have agreed to hold a coordinated, park-wide clean-up day on March 18th beginning at 10 AM. Volunteers from the community are invited to participate. They may have some refreshments available at their concession stands. This is to be 'announced' in the township newsletter.

Viki Nulph is planning to paint the park entrance signs this spring...as soon as weather permits.

Misc. Business: Rod Miller is considering the vacant position on the Recreation Committee. The Committee still needs to find a secretary to take minutes, etc. and they will be talking to Viki Nulph again to find out if she is able to do it.

Action Items: 1) The township road crew is to look at the drainage between the T-Ball and Farm Fields. 2) Supervisor Rankin will meet with Recreation Committee members in a 'workshop' - 6 PM on March 1st - prior to regular Rec. Committee meeting. 3) The Rec. Committee is to coordinate a meeting with Thrower Communications so that 'all' parties (including Supervisors and road foreman) can review access to the security camera footage. 4) Determine 'who' will be unlocking the gates to the park beginning March 1st.

Chairman John Cypher suggested looking into 'rough' cost of paving the trail; and determining what the width the currently constructed trail was set up for (was it specifically for a walking trail or mixed used)? Leo Rosenbauer said we need to follow storm water regulations for any improvements.

## ROAD FOREMAN REPORT:

Chairman Cypher read the report submitted by Road Foreman William Foertsch. The new Mack truck is in full service and working well. The 2016-2017 winter season salt usage as of 2/6/17 is approx. 850 tons and antiskid usage is approx. 250 tons. Weather outlook for February looks good and the foreman has no plans to order any more salt at this time. A list of road name signs was prepared and the signs were ordered. They were installed by the road crew last week. All of the housing plans that were double-sealed in 2016 have been swept (in January) by Ike Construction for \$1,375.00. Another sweeping is planned for late March or early April. The road crew have been demonstrating the Volvo L70H and the Hyundai HL940 pay loaders this past week. The prices for the new loader and proposed trade allowance are still coming in from the various companies.

Paving for 2017: Proposed roads are Great Belt Rd. (from Nursery Lane to Township Line), Becker Rd., Heller Rd., and Smith Rd. XTO is offering to pay for 60% of bonded roads and Penn Township will

## ROAD FOREMENT REPORT, cont.:

reimburse Jefferson Township for their portion of Heller Rd. Double-Seal 2017: Proposed roads are O'Hara Rd., Caldwell Dr., Simon Dr., Frazier Rd., Creek Rd. and Bullcreek Rd. (Frazier to Mushrush). Motion by John Cypher to accept the list of proposed roads. Seconded by Braden Beblo. All agreed and motion carried. Supervisors did not schedule a 'road inspection' but the foreman is willing to take any of them out to view the roads. They will vote to authorize advertisement next month and plan to open bids in April.

In addition, XTO is offering to help with the cost of labor and shooting oil on the millings after back-filling the berms on the bonded roads being paved. Kevin Gray from Butler County Bridges has indicated that they will probably do the culvert bridge on Hannahstown when school is out of session (perhaps June.) The 99 International truck had a engine oil leak (which they found); but since it had to do with the high pressure oil pump for the injectors, they took it to Dinnerbell Garage. Cost will depend on whether the pump can be rebuilt or has to be replaced.

## PLANNING COMMISSION:

Leo Rosenbauer reported on the January 26, 2017 Planning Commission (PC) meeting. He reported that the P.C. had their election of officers, which remain the same: Leo Rosenbauer (Chairman), Danielle Sedlak (Vice-Chair.) and Evelyn Gross (Secretary.)

Mr. and Mrs. Wilczynski approached the P.C. to talk about the purchase of property on Dinnerbell Rd. with existing house, barn and arena. They are planning to move their 'non-profit' business (Austin's Place) from Wexford to that site. It is a day-program (no overnight/no weekends) for intellectually challenged people. They said they must submit a set of drawings showing all of the rooms in the existing house and an occupancy permit to the state (PA Dept. of Human Services' Office of Developmental Programs.) The P.C. referred them to the PA UCC Inspectors, Code.sys Code Consulting to find out what is needed for the 'change of use' and the proposed entrance ramp; and to get an occupancy permit. The P.C. said that if the handicapped parking area and access is already 'gravel' and less than 5,000 sq. ft., then it may not need a land development.

The P.C. discussed the matter of revising the Subdivision and Land Development Ordinance to provide language in the ordinance requiring reimbursement of Consultant and Professional Review costs and fees..in order to match the fee resolution(s) and the Subdivision & Land Development Application. The proposed revision provided by Attorney Timothy Bish from Dillon, McCandless, King, Coulter & Graham was reviewed. The general consensus was to 'continue' to charge back the actual costs for professional and consultant reviews to the developer/property owner and to not charge an application fee or deposit up front. However the Supervisors wish to keep the option to require an 'application fee and/or deposits' After some discussion, John Cypher *moved* to authorize Attorney Marshall to prepare the draft SALDO Revision and to review and change as necessary the proposed fee resolution(s) so that the P.C. and Supervisors can review the draft before authorizing advertisement. *Seconded* by Braden Beblo. All agreed and *motion carried*. The P.C. talked about a phone call inquiry regarding a possible subdivision of Lot 3 of the Barb Fisher property. No one came to discuss with the P.C. They also discussed the tax sale of the old Bonniebrook Home, which has been vacant for at least 10 years and the septic system, which never seemed to work properly in past, has also been unused for that 10 year period. The P.C. sent an e-mail inquiry to Attorney Marshall; his response was that: 'we will have to wait and see what the new owner proposes. If they propose improvements or a land development (which I suspect they would), they will have to follow current regulations.'

The P.C. finally discussed the Helsel (Atkinson) property on Great Belt Rd. which is now for sale by the Bank via Century 21. The P.C. also inquired about this and Attorney Marshall responded that: 'we can discuss this further at the (Feb. 13th) meeting. The Township may notify the bank and realtor that the mobile home on the property (which may or may not be titled in the same name as the real property owner) does not currently have a permit to attach to the existing septic system on the property. The Supervisors discussed the matter briefly this evening (Feb. 13th) and Braden Beblo *moved* to authorize Attorney Marshall to draft a letter to the Bank and to the Realtor as suggested. *Seconded* by John Cypher. All agreed and *motion carried*.

## UNFINISHED BUSINESS:

John Cypher summarized briefly that the Township was approached by PennEnergy Resources to lease the park. A representative from PennEnergy, Zach Dixon, and the land agent, Chet Novak, were present this evening. The lease would be non-surface. DCNR was notified of the proposed lease, but they want clarification. The attorney has reviewed the proposed lease and revisions have been made and agreed to by PennEnergy. During the discussion, Mr. Dixon agreed that PennEnergy will prepare the revised draft with revised addendums and will respond to the checklist from DCNR. There was additional discussion regarding lease terms, royalties and costs. Attorney Marshall assured the Board and attendees that he has reviewed the lease including language regarding post marketing costs (production costs) and it is standard accepted language. *Motion* by John Cypher to enter into the 'oil and gas lease' with PennEnergy, LLC for the park property as proposed subject to final approval by the township attorney and DCNR's approval of the revised lease and addendums and satisfactory 'checklist'. *Seconded* by Braden Beblo. All agreed and *motion carried*. Lois Rankin *moved* that the approx. \$128,000 lease payment is to be kept with the 'park funds' and used in or for the park. John Cypher *seconded*. All agreed and *motion carried*.

John Cypher reported that the union process started about one and one-half years ago. The tentative agreement was received on Friday afternoon and the Board received copies this morning. It is a 2-year agreement with the road department workers eligible for participation. The draft/terms are now available as a public record. John Cypher *moved* to accept the tentative contract as presented and reviewed. *Seconded* by Braden Beblo. All agreed and *motion carried*.

John Cypher *moved* to raise the secretary/treasurer's salary by 2% as of 1/1/17. Lois Rankin *seconded*. All agreed and *motion carried*. John Cypher *moved* to raise the codes office/building permit site inspector wage to \$16.50 hr. beginning 1/1/17. Braden Beblo *seconded*. All agreed and *motion carried*.

It was noted that the 'Floodplain Letter of Final Determination' is now not to be released until September 2017 and in-turn the effective date will be six months later, March 2018....giving us a year to adopt the Revised Floodplain Ordinance.

Lois Rankin had the secretary check with Evelyn Gross about whether she would be interested in being appointed as 'vacancy board chair.' -- the appointment was tabled at the Jan. 3rd meeting. Evelyn Gross was present tonight and indicated that she would accept. *Motion* by Lois Rankin to appoint Evelyn Gross as the 'vacancy board chairman' for 2017. *Seconded* by John Cypher. All agreed and *motion carried*.

## NEW BUSINESS:

A letter (dated 1/9/17) from the Butler County Commissioner regarding the 2017 County Park Renovation Grant Program was received after our Jan. 3rd meeting. The due date is Feb. 23rd. A copy was passed to the Supervisors and no interest was indicated (individually). We have not yet completed the 2016 grant work. John Cypher interjected that we need to sit back and take a breath. When the Board met with Gary Pinkerton (County Parks Directory) in the fall, the project was put on hold and Mr. Pinkerton was to get back to us this spring with 'updates'. Leo Rosenbauer and others said the township should be following the 'park master plan.'

A notice was received after the Jan. 3rd. meeting, that the road escrow CD was maturing on Jan. 17th (prior to this meeting 2/13). Due to the escrow being the maintenance bond on Stoneybrook Drive, the Board decided (individually) to transfer the funds into a temporary savings account until they could talk to the Attorney about the escrow funds (Phase I and Phase II questions.) *Motion* by John Cypher to ratify resolving to transfer the 'road escrow funds' from the maturing CD into a temporary savings account.

NEW BUSINESS, cont.:

*Seconded* by Lois Rankin. All agreed and *motion carried*. The Board will be notifying Lezzer/Miller LLC regarding the funds.

*Motion* by John Cypher to authorize signing the annual agreement with Butler County Humane Society. *Seconded* by Braden Beblo. All agreed and *motion carried*.

*Motion* by John Cypher to adopt Resolution #393- Disposition of Records for the next two-year period (years vary according to type of record.) Last resolution (#372) was passed in July 2015. *Seconded* by Lois Rankin. All agreed and *motion carried*.

John Cypher suggested that the Township start getting prices to review for roofing and gutters for the Township building and replacing unit air conditioners with 'central air'. John Cypher *moved* to get some quotes. *Seconded* by Braden Beblo. All agreed and *motion carried*. The Board also jokingly discussed the 'sweeper'. John Cypher seriously noted that Lois Rankin does a 'good job' cleaning the office and meeting room.

A notice was received from the County Commissioners about the "Farm Town Hall Event - Calling All of the Agricultural Community" scheduled for Tues., Feb. 21st. 7 to 9 PM at Founder's Hall, BC3.

#### Statement of the Township Address

Feb. 13, 2017

We have now transitioned from 2016 to 2017. One constant is 'change'. Change is essential to our very existence as mankind. As we move forward we must learn from the past and prepare for the future to succeed. 2016 has been a year of change. We have a new United States President looking out for the future. We have a State government looking to balance the budget. We have a new Supervisor in Jefferson Township.

Our Township mission remains the same. We desire to prepare for the future by doing the best we can today. The main focus is the township road system - maintenance and improvement - as well as safety and welfare of our residents. Maintaining our rural and neighborly atmosphere throughout the Township is a priority. We spend our funds conservatively, without deficit.

The Supervisors have spent funds to maintain roads in winter maintenance, repaving, repairing, new replacement equipment, revamping township garage facilities. All without a tax increase.

We note the passing of 2 icons: Harold Riemer and Wayne Deaner. Together they spent thousands of volunteer hours of unselfish service at our community park, without expectation of notoriety or fanfare. They have left a mark forever in posterity.

The Township continues to be faced with 'unfunded mandates' from federal, state and county levels. Everything the Township performs must meet the higher levels of government approvals.

Again, we ask for volunteers to step forward to perform our Township functions: auditors, planning commission members, park committee members...all are needed.

Your Supervisors remain committed to the function to which they have been sworn, to the Constitution of United States, the State of Pennsylvania, the County of Butler and to Jefferson Township.

We, the Board of Supervisors of Jefferson Township, continue to be your faithful servants and thank you, our residents, every day!

J. Cypher, Chair.

## MISC. BUSINESS:

- Received NOTICE from HRG that PennEnergy Resources, LLC is applying for a DEP permit to Drill & Operate Unconventional Gas Wells in Winfield Twp. 559 Marwood Rd., W34 wells 1H, 2H,3H,4H,6H+ 8H

- Received NOTICE from Civil & Environmental Consultants, Inc. that PennEnergy Resources, LLC is applying for DEP Permit to Drill and Operate an Unconventional Well for 6 gas wells in Winfield Township off Cornetti Rd. (W22 Well Pad, #1H to 6H)

- Received NOTICE from Civil & Environmental Consultants, Inc. that PennEnergy Resources, LLC is applying for DEP Permit to Drill and Operate an additional well (4H) on Golden City Rd. (Boldy) PER W70 (previously notified of wells 1H-3H.)

- Received NOTICE from Civil & Environmental Consultants, Inc. that PennEnergy Resources, LLC is applying for DEP Permit to Drill and Operate 5 gas wells off Dinnerbell Rd. (Korim Property) in Jefferson Township PER W71 Wells 1H, 2H, 3H, 4H and 5H.

Lois Rankin announced that the Butler County Association of Township Officials' Spring Convention is scheduled for Thurs., May 18, 2017 at the Butler Country Club. Registration is at 8 AM; sessions begin at 9 AM. Registration fee has not been set yet; we should be getting the information soon.

## ATTENDANCE:

Bill & Mandi Foertsch, Rodger Cypher, Leo Rosenbauer III, David Campbell, Lil Bachman, Evie Gross, Jim Rankin, Zach Dixon, Chet Novak, and Brian Patten.

## ADJOURN:

*Motion* by Lois Rankin to adjourn at 8:55 P.M. Braden Beblo *seconded* the motion. All agreed and *motion carried*. The next regular meeting is scheduled for Monday, March 13, 2017 at 7 P.M. at the Township Building, 157 Great Belt Rd., Butler.

*Respectfully submitted by Sec/Treas., Lois Fennell*