

JEFFERSON TOWNSHIP

REGULAR MEETING

September 10, 2018

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 7:02 P.M. on Sept. 10, 2018. All rose to pledge the flag.

ROLL CALL:

Those present were Chairman John Cypher, Vice-Chair. Lois Rankin, Supervisor Braden Beblo, Sec/Treas. Lois Fennell and Attorney Matt Marshall.

ANNOUNCEMENTS:

Chairman Cypher reported that they met briefly in executive session just prior to this meeting to discuss potential litigation.

PUBLIC COMMENT ON THE AGENDA AS PRESENTED: None.

MINUTES:

John Cypher *moved* to approve the August 13, 2018 regular meeting minutes as written and distributed. *Seconded* by Braden Beblo. All agreed and *motion carried*.

FINANCIAL:

Bills paid between the August 13th and the Sept. 10, 2018 meetings totaled \$659.47. Bills presented for payment from the General Fund this evening totaled \$283,029.19. Bills presented from the State Fund totaled \$255,000.00. The bills include transfers and checks to Russell Standard for double seal project (checks dated 9/11/18.) The total of all funds after payment of the bills reported is \$1,336,414.03. *Motion* by John Cypher to pay the bills plus any regular bills that may become due prior to the Oct. 8, 2018 meeting. *Seconded* by Braden Beblo. All agreed and *motion carried*.

PUBLIC BUSINESS OR COMMENT:

An inquiry from Christopher Patterson, 199 Blackberry Hill Lane, was received via the County Commissioner Leslie Osche. He did not attend this evening. The inquiry is regarding the 'private lane' status of Blackberry Hill Lane and wanting to know if the road can be 'adopted' by the Township. It cannot even be considered unless all of the property owners agree to give property to widen the right-of-way and unless all of the property owners pay for the road to be installed to township specifications. Lois Rankin said she told Commissioner Osche that the Township would respond to Mr. Patterson's inquiry; it was agreed that Chairman Cypher would draft a letter to be sent.

RECREATION COMMITTEE:

The Recreation Committee Chairman, Brian Patten, reported on their Sept. 5, 2018 meeting.

Pool: www.sebcopool.com The Pool Community Day was held on August 18th. They reported a nice event despite some rain in the morning causing attendance to be lower. They asked about the cost and installation of an additional camera for the pool area. John Cypher did inquire from Dreamhome Electronics and received a quote for a camera capable of capturing various angles in the park! Quote was \$1,454.00 (good until Sept. 21st.) The matter was tabled for the Recreation Committee to discuss at their next meeting (Oct. 3rd.)

Softball: www.sagsa.org They did not hold a tournament this year due to lack of interest. They hope to host one next year. Fall Ball Season began on Sept. 8th; they have 3 teams playing this fall (10U-12U-High School.)

Soccer: www.knochsoccer.org No report.

Baseball: www.saxonburgbaseball.com No report.

RECREATION COMMITTEE, cont.:

New Business: Josh Goldscheitter reported that he is ready for the delivery of the base material (crushed concrete from Throwers) for the Eagle Scout Project approved earlier this year.

John Cypher received a quote from Snider Recreation for a 21 ft. set of bleachers (5 row) for \$5,800.00. Brian Patten obtained a revised quote from National Recreation Systems, Inc. for a 15 ft. set of bleachers (5 row) for \$4,045.85. He is still waiting for a quote from GT Grandstands. Decision to purchase on hold until third quote comes in.

CODES ENFORCEMENT OFFICER:

Prior to the Planning Commission report, the CEO wanted to discuss a few matters with the Board and the Attorney to receive direction:

1) in regards to two 12' x 24' sheds placed on a property without a permit; one has an air conditioner and a sign on it for 'Holly Mead Photography.'" A brief letter was received from the user (not the property owner) stating that they are for personal use. The Board agreed that a letter should be drafted by the Township Attorney to the property owner(s) with information and assistance from the CEO.

2) in regards to driveway permits for other than a single family or duplex residence. The CEO asked if the driveway is for commercial use, should it go through the Planning Commission for approval? Is it a land development? Are gas well (or pipeline) access driveways pre-empted under Act. 13? The CEO noted that they also asked for a variance for 'site distance' at the entrance. Attorney Marshall needs to do some research on the various Act 13 court cases and will need more information from the CEO to assist with drafting a response.

PLANNING COMMISSION:

Leo Rosenbauer, Chairman of the Planning Commission reported on the August 20, 2018 Planning Commission (P.C.) meeting. The P.C. reviewed a side set-back modification request from Jay Wagner and Michael & Tamara Finucan, 208 Jones Rd. for an above-ground pool installed by the contractor in the same location as a previous pool on the property. Contractor provided information about needing a permit AFTER work being performed. She obtained a notarized letter of permission from the neighbor, Alan Kirkwood. Hardships included: lot is small; pool needs to be located next to the existing deck; septic and other objects in the yard. The P.C. voted to recommend approval of the side set-back of 15 ft. (a 10 ft. modification) for the 27 ft. round pool on the condition that the deck cannot be any closer to the neighbor's property line than it is presently! *Motion* by John Cypher to approve the 15 ft. side set-back (a 10 ft. modification) for the pool under the same conditions required by the P.C. for Michael & Tamara Finucan and Jay Wagner. *Seconded* by Lois Rankin. All agreed and *motion carried*.

A revised land development drawing was submitted by Stan Graff Professional Surveying for Paul & Lisa Smith. This was required because the current approved land development indicates an 84' x 84' addition but the building permit application indicates a smaller separate building/garage (84' x 57' with a 15' separation between buildings.) The P.C. voted to recommend approve of the Revised Paul & Lisa Smith Land Development. The Supervisors reviewed the plan. *Motion* by Lois Rankin to approve the Revised Paul & Lisa Smith Land Development. *Seconded* by Braden Beblo. All agreed and *motion carried*.

Mr. Lou Schultheis dropped off an unofficial drawing for Lee Harbison. It is the same lot-line revision submitted in 2017 and denied due to it being incomplete. It is still incomplete and the P.C. did NOT review it. The property owner and his surveyor were notified in writing that the unofficial drawings are not sufficient for review. Mr. Rosenbauer reported no response yet from Mr. Harbison or his surveyor.

Tom Vuselich, owner of the apartment building at 108 Oak Dr. in front of the Forest Glenn Plan, submitted a building permit application for a 12 x 20 roll-off shed (for garden equipment.) The question remains regarding our ordinance, Chap. 4:205 Multifamily #8, which states that: property containing multifamily dwellings shall contain no other uses except parking and recreational areas for the residents of the building. Mr. Rosenbauer checked with Attorney Marshall, who confirmed this evening that the primary use is multifamily, and our ordinance does not allow for a 'shed', nor does it make provision for the Supervisors to grant a variance for such. The Board agreed that Attorney Marshall should draft the letter to Mr. Vuselich with input/assistance from the Codes Enforcement Officer.

PLANNING COMMISSION, cont.:

Rich Craft and Kevin Miller were present in regards to the Stoneybrook Phase II Land Development. Rob Arnold states in the 8/20/18 HRG letter that he can now support the Planning Commission's recommendation for approval with conditions or contingencies. The Planning Commission voted to approve the preliminary/final submission contingent upon the following:

1) Confirmation of the application for NPDES Stormwater permit and a copy of the permit documentation when received; 2) Provision and execution of the Operations and Maintenance Agreement for the Stormwater facilities with the Township; and 3) Developer's Agreement, incorporating administrative and financial guarantee procedures acceptable to the Township. If the Board of Supervisors or the Township Attorney identify any other outstanding requirements, then they can add that to their review/decision.

After a brief discussion, Lois Rankin *moved* to approve the following modifications for the Stoneybrook Phase II Land Development (approved by the P.C. at their July 16, 2018):

- 1) Chap. 22-903.10.A - Reduction of minimum street center line grade from 2% to a minimum slope of 1%.
- 2) Chap. 22-902-11.A - Reduction of street right-of-way from 50 ft. to 40 ft. width for Stoneybrook Dr. only and reduction of cartway width from 24 ft. to 20 ft. on Stoneybrook Dr. south of Audrey Lane and on Audrey Lane to the west of Stoneybrook Dr.
- 3) Chap. 22-1004.3 - Elimination of the requirement that inlets be set-back ('eared') as shown on the standard details.
- 4) Chap. 22-1006 - Modification from requirement to put sidewalks on both sides of the street; require sideway only on the east side of Stoneybrook Dr. to the south of Audrey Lane and require no sidewalks on Audrey Lane to the west of Stoneybrook Dr.

Seconded by Braden Beblo. All agreed and *motion carried*.

Motion by John Cypher to approve the preliminary/final submission of the Stoneybrook Phase II Land Development contingent upon the following: 1) confirmation of the application for NPDES Stormwater permit and a copy of the permit documentation when received; 2) provision and execution of the Operations and Maintenance Agreement for the Stormwater Facilities with the Township; and 3) Developer's Agreement, incorporation administrative and financial guarantee requirements (i.e. recording documents and bonding the improvements) in form acceptable to the township engineer and solicitor. A copy/full set of Final Plans and the Stormwater Management Plan and Exhibits must be provided to the Township. *Seconded* by Lois Rankin. All agreed and *motion carried*.

The P.C. discussed the inquiry regarding four lots on Leggens Lane off Saxonburg Rd. Leo Rosenbauer contacted Saxonburg Authority and Attorney Marshall. Apparently, Lot 4 can hookup to the public sewer; Lot 3 can also but with a grinder pump; Lots 2 and 1 cannot hookup to the public sewer without additional right-of-way. The attorney agreed that they are substandard lots and no building permit should be issued until the owner/developer remedies the problem. These lots are currently for sale. The Supervisors decided that Danielle can provide information to the attorney and get his assistance in drafting a letter to the property owners.

ROAD FOREMAN REPORT:

Chairman Cypher read the report submitted by Road Foreman William Foertsch. The 2018 Chip Seal project is complete; roads have been swept. The third and final berm mowing is complete. The antiskid storage is almost full. Line and Legend painting is scheduled for sometime after Sept. 10th, weather permitting. The area near the #4 ball field has been seeded down and is growing well; also some drainage and fill was added back at the soccer field to make it safer to mow. This area was also seeded down. the 6300 Boom Mower over heated and will need some repairs: antifreeze overflow tank; possible water pump and hoses. Parts should be under \$1,000 and labor will be performed by the road crew. Tractor and mower were purchased in Feb. 1994. The 2019 F550 Truck has been shipped to Super City and the 2019 Mack Truck should be shipped to Walsh/Stevenson Equipment soon. *Motion* by John Cypher to authorize Bill to sign all paperwork for both vehicles. Separate letters will be drafted. *Seconded* by Braden Beblo. All agreed and *motion carried*.

Chairman Cypher noted that the 96 International was paid for and picked up by Wayne Township last week. He also noted that the Dirt & Gravel Roads 'training' is being offered this month (Sept. 19th) in Indiana. The current 'certification' expires in April 2019. *Motion* by John Cypher to authorize Bill to attend if there are

ROAD FOREMAN REPORT, cont.:

no other classes held nearby before April 2019. John may attend if there is a 'refresher course' offered. Bill is to check Penn State University website to research. *Seconded* by Braden Beblo. All agreed and *motion carried*.

UNFINISHED BUSINESS:

Fuel Bids were duly advertised for opening this evening. Only one bid, from Purvis Brothers, Inc., was received. The results: Up to 8,000 gal. On-Road Diesel - OPIS \$2.2929 + .0750 differential (subject to possible \$.04 gal. winterization) = \$2.3679 unit price; Up to 1,000 gal. Unleaded No Ethanol Gas - OPIS \$2.1742 + .60 differential = \$2.7742 unit price; and Up to 2,500 gal. Regular Unleaded - OPIS \$2.0115 + .12 differential = \$2.1315 unit price. Bid Bond and Insurance Certificate were provided. *Motion* by John Cypher to award the bid to the only (and qualified) bidder, Purvis Brothers, Inc., as bid. *Seconded* by Lois Rankin. All agreed and *motion carried*.

NEW BUSINESS:

It was reported that a property owner on Freeport Rd. has a malfunctioning septic system; it failed a dye test and there is no room for a new system and no way to allow a 'small flow treatment facility' because the neighbor(s) will not give easement. The only way to 'abate the nuisance' is to allow sewage holding tanks and enter into maintenance agreement with the property owner and require a cash bond, etc. according to Ord. #340. The Board agreed to proceed as recommended by the Alternate Sewage Enforcement Officer. A letter will be drafted to notify the property owner(s) on record.

MISC. BUSINESS:

Received NOTICE from Gannet Fleming of Mountain Gathering LLC's application to DEP to 'terminate coverage of ESCGF permit #ESG15-019-0063 - Kiley to Galan Gas Pipeline in Jefferson, Winfield and Clearfield Townships.

Received NOTICE from Penn United regarding their application to DEP for issuance of a National Pollutant Discharge Elimination System (NPDES) individual permit for Industrial Stormwater. The secretary signed off to acknowledge receipt of this notice; copies supplied to the Supervisors.

Received NOTICE from Civil Engineering that PennEnergy Resources is applying to DEP for permits to install wells of Dinnerbell Rd. in Jefferson Township - W71-1H,2H,3H,5H &6H (Korim property).

Received copy of a 'mining permit' application to DEP for Alvin Wise for his property on Freeport Rd.

Lois Rankin announced that she prepared the basket to be donated to the So. Butler Community Library for their Booktoberfest on September 28 at Cooper Hall (approved last month to spend approx. \$35.) The cost was only \$30.45.

Leo Rosenbauer reminded the Board that they usually set Trick or Treat at the September meeting. It was agreed to set it on "Halloween" night, Oct. 31st from 6 to 8 PM.

The *local* PSATS' "Fall Forum" is in Clarion on Nov. 8 & 9. The matter was tabled for a decision later.

Lois Rankin noted that the Township will receive a camera for use (actually paid for from CDBG admin. funds) to take pictures as required by CDBG.

ATTENDANCE:

Dennis Kriley, Brian Patten, Danielle Sedlak, Tamara Finucan, Kevin Miller, Rich Craft, Leo Rosenbauer, and Evie Gross.

ADJOURN:

Lois Rankin *moved* to adjourn at 9:33 PM. *Seconded* by Braden Beblo. All agreed & *motion carried*. The next regular meeting is scheduled for Mon., Oct. 8, 2018 at 7 P.M. at the Township Building, 157 Great Belt Rd.

Respectfully submitted by Sec/Treas., Lois Fennell