

JEFFERSON TOWNSHIP

REGULAR MEETING

April 9, 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 7:00 P.M. on April 9, 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 noted that all three Supervisors attended an informational gathering meeting on 3/15/18 (recommended by HRG, Inc. and suggested by the Township Planning Commission). The P.C. Chair. and Secretary, Kevin Miller and his engineer, the township engineer and township attorney, the codes enforcement officer, the road foreman, and the secretary/treasurer also attended. Chairman Cypher stated that there was no deliberation and no decisions made by the Board of Supervisors.

Supervisor John Cypher attended an informational meeting on 3/29/18 with Scott Reinhart from WHM Solutions and Road Foreman, Bill Foertsch, in regards to possible funding for the creek rehabilitation. Chairman Cypher noted that the Township has no vested interest in the project, but hoped to help facilitate the project between the property owners and this private company.

PUBLIC COMMENT ON THE AGENDA AS PRESENTED: None.

MINUTES:

John Cypher *moved* to approve the March 12, 2018 regular meeting minutes as written and distributed. *Seconded* by Lois Rankin. All agreed and *motion carried*.

FINANCIAL:

Bills paid between the March 12th and April 9, 2018 meetings totaled \$680.11. Bills presented for payment from the General Fund this evening totaled \$38,990.38. No bills were presented from the State Fund. The total of all funds after payment of the bills reported is \$1,506,173.16. *Motion* by John Cypher to pay the bills plus any regular bills that may become due prior to the May 14, 2018 meeting. *Seconded* by Lois Rankin. All agreed and *motion carried*.

PUBLIC BUSINESS OR COMMENT: None.

PLANNING COMMISSION:

Leo Rosenbauer reported on the March 19, 2018 Planning Commission meeting.

Stoneybrook Phase II: Leo noted that Kevin Miller is requesting modifications:

1) the minimum roadway (cart way) width from a 24' minimum to a 20' minimum (face of curb to face of curb) for Stoneybrook Dr. and the min. right-of-way width from 50' to 40' for Stoneybrook Dr.

2) the minimum roadway (cart way) width of Audrey Lane.

The Supervisors gave general okay to proceed; an official action (vote) cannot be taken until the completed plan is ready for their decision.

Discussion continued regarding the 'sweeping curve' for the intersection at Stoneybrook Dr, and Audrey Lane instead of the intersection returns; and the roadway will be constructed meeting township design standards from the intersection of Stoneybrook Drive and Audrey Lane in a easterly direction to a sufficient length that

PLANNING COMMISSION, cont.:

will allow access to proposed Lot #1. This section (access to Lot 1 over the dedicated right-of-way) will be maintained by the ownership of proposed Lot #1 and not be adopted by the Township until such time is warranted in the sole judgment of the Township and is constructed to Township design standards to the eastern property line of the Stoneybrook Plan. The maintenance will be attached to the plan and set forth in a recorded Roadway Maintenance Agreement in a form acceptable to the Township and in the chain of title for Lot 1. The Township otherwise will anticipate adopting the road to the intersection only. Again, the Supervisors cannot take action until the completed plan is ready for their decision. Kevin Miller submitted a letter of extension for 60 days, with a new deadline of July 4, 2018. This means the Board of Supervisors will need to take action by their June 11, 2018 meeting. *Motion* by John Cypher to accept the letter of extension submitted by James D. Miller & Sons Construction (a 60 day extension) for new deadline of July 4, 2018. *Seconded* by Braden Beblo. All agreed and *motion carried*.

Leo reported on the P.C.'s review of the Calvary Baptist Church Parking Lot Land Development. Again, Leo summarized: the driveway meets current visibility requirements; the existing driveway is wider than PennDOT would allow; Leo's PennDOT contact said that re-surfacing does NOT constitute a change/modification. The P.C. voted to approve the Calvary Baptist Land Development Plan contingent upon the Township Solicitor verifying that the modifications are not needed for the driveway entrance, as well as submission of the O & M agreement and signature lines being provided on the land development plan. After substantial discussion, Attorney Marshall advised that the Township take the position that no modification is needed for the driveway per Chap. 21.305D. *Motion* by John Cypher to approve the Calvary Baptist Church Parking Lot Land Development as presented, but **contingent** upon submission of the O & M Agreement and the signature lines and site distances being added to both the land dev. plan and the subdivision plan. *Seconded* by Lois Rankin. All agreed and *motion carried*.

Leo reported that the P.C. reviewed and approved a modification request from Mr. Jim Frye, 274 Great Belt Rd., for a proposed garage to be only 19.51 ft. from the property line of Alan & SuZee Beblo. A notarized letter of permission from the Beblos was submitted. *Motion* by Lois Rankin to approve the 5.49 ft. side set-back modification for the proposed garage to be 19.51 ft. from the Beblo property line. *Seconded* by John Cypher. Braden Beblo abstained due to his parents being the adjacent owner. *Motion carried 2 to 0*.

The P.C. also reviewed and approved the modification request from Kyle Toth, 146 Rennick Rd. The contractor measured off an old pin and built the foundation only 13 ft. from the property line of Eugene Heasley, Sr. A notarized letter of permission was submitted. *Motion* by Lois Rankin to approve the 12 ft. side set-back modification for the proposed garage to be 13 ft. from the property line of Eugene Heasley, Sr. *Seconded* by John Cypher. All agreed and *motion carried*.

Motion by John Cypher to authorize Planning Commission members (Dan Driscoll and Danielle Sedlak and any other members) to attend the May 24, 2018 "Local Development Review Process from A to Z" in Frazier Township (Tarentum, PA) and pay the \$16 registration. *Seconded* by Braden Beblo. All agreed and *motion carried*.

It was noted that no letters of interest have been received for the vacant position on the planning commission. Leo Rosenbauer asked Karen Beblo and she declined; he will check with Rodger Davis.

DCED's PA Training Hub (PATH) is offering a course on "Duties of the Planning Commission". The Supervisors did not vote on this.

Lois Rankin reported about a property on Saxonburg Road being 'promoted' by the realtor as an investment property (rent the downstairs/live upstairs). It is a single family residence and she feels we should alert the property owner and realtor that there are regulations in regards to creating duplexes or multi-family. After significant discussion between the Supervisors, P.C. Members present and the Township Attorney, the Supervisors took the following action: *Motion* by Lois Rankin to have Attorney Marshall draft a simple letter to the owner and realtor (to be worded at his discretion in the best interest of the township). *Seconded* by John Cypher. All agreed and *motion carried*.

RECREATION COMMITTEE:

Recreation Committee Representative, Roger Cypher, reported on the April 4, 2018 meeting. It was noted that the park-wide clean up was postponed from March 24th to March 31st due to the weather.

Baseball: Opening day for games is May 5th. Colt & Legion registrations remain open (as of 4/4/18). www.saxonburgbaseball.com

Pool: They are researching replacement of some of the water features at the pool for 2018. They plan to uncover the pool by April 14th. They are still taking applications for life guards. www.sebcopool.com

Softball: Registration for 2018 is now closed. They will NOT hold a tournament in July as in previous years. They are looking at holding a tournament August 24th -26th, but this is still at the discussion stage. There is a tree that is starting to lean onto Field #4; the road department will be removing it. www.sagsa.org

Soccer: They have 260 players registered for this spring, with 7 travel teams and 17 in-house teams selected. Opening day has been delayed one week due to the weather. A sink hole developed in the parking lot; the road crew has blocked off the area and are considering how to repair it. www.knochsoccer.org

New Business: Automatic park gates - on hold; bleachers for Pony Baseball field utilizing Wayne Deaner memorial funds - still being researched; lightning detection/warning system - still being researched; a tree fell across the walking trail below the Lions' Club; road crew has already cleaned it up.

Park Projects: Park Rules and Regs. - John Cypher reported that this is still being reviewed by CEO, Danielle Sedlak - then they will be reviewed by 'all' before sending to the Attorney for final review.

Misc. Business: They discussed renting of the Ladies' Aux. Pavilion and ALL association were advised to notify the Township of all known/planned tournaments to prevent any conflicts with the pavilion rental.

Action Items: Road crew is still considering drainage problem between Fields 5 & 6.

John Cypher reported that the Township was NOT awarded the Butler Co. Parks Renovation grant this year. He has sent the letter to DCNR (Kathy Frankel) requesting approval to pave the walking trail. John Cypher *moved* to request the Township Engineer (HRG, Inc.) to prepare a narrative to present to the Planning Commission at the April 16th meeting. Approval will be needed to proceed with application for the DCED grant (projects up to \$250,000 with a 15% local match). *Seconded* by Braden Beblo. All agreed and *motion carried*. John Cypher moved to authorize application for the DCED "Greenways, Parks & Trails" grant due by the end of May. *Seconded* by Braden Beblo. All agreed and *motion carried*.

ROAD FOREMAN REPORT:

Chairman Cypher read the report submitted by Road Foreman William Foertsch. The Township will be receiving \$13,000 from the "Dirt, Gravel & Low Volume Roads" funds through the Conservation District to help pay for the stabilization of Creek Road. Payment will be available at the completion of the project.

An Emergency Permit was obtained on March 16, 2018 from DEP for the Creek Road stabilization project. It is good for 60 days; if the Township runs into a time crunch due to the weather, we can ask for an extension. The Township MUST do the project when the creek is low!

Quotes for sandstone and excavator with thumb & operator were obtained and copies given to the Board of Supervisors. Of the three quotes, Phil Hay and McCrea are more expensive for the machine and operator, plus the stone is NOT readily available and will be more costly than the third quote. The third quote is from Beblo Excavating. Stone is only \$250 load including delivery (30 plus/minus tri-axle truck loads are anticipated) and the machine/operator cost is \$110 per hour. The project will be under the bidding threshold. After hearing from Attorney Marshall in regards to the Public Officials "Ethics Act", the Board took the following action. *Motion* by John Cypher to accept the quotes (sand stone and machine with thumb & operator) from Beblo Excavating. *Seconded* by Lois Rankin. Braden Beblo abstained because he is the owner/proprietor of Beblo Excavating and he submitted a signed 'conflict of interest abstention memorandum'. *Motion carried 2 to 0*.

The 2004 Ford F550 had a new radiator installed for \$390.03 by Dinnerbell Garage. The Road crew added fuel additive to the fuel and it seems to help the injectors, but time will tell. No further discussion this evening on the proposed new truck to replace this 2004 Ford.

The snow fence tear down is complete. The road crew installed a new hot water heater in the main township building on April 6th. Housing plan and road sweeping will start after April 15th, weather pending.

UNFINISHED BUSINESS:

John Cypher noted receipt of letters from Russell Standard Corp. and Wiest Asphalt Products & Paving assuring the Township that they will be addressing problems (taking corrective measures) with the 2016 seal coat project (by June 22, 2018) and the 2017 paving project (well before July 15, 2018.)

The Seal Coat bids were opened at 2 PM today as advertised. The results were:

No bids received in mail...through today 4/9/18 at 2 PM.

Three Bids received; delivered in person by company representatives by 2 PM. (Youngblood Paving, Russell Standard Corporation, and Suit Kote Corp.)

1) Youngblood Paving, Inc. - Total \$508,813.09 - Bid Bond submitted

2) Russell Standard Corp. - Total \$499,063.38 - Bid Bond submitted

3) Suit-Kote Corp. - Total \$556,952.30 - Bid Bond submitted

Chairman John Cypher noted: Bids advertised for opening at 2 PM. No action to be taken until the regular meeting tonight at 7 PM - 4/9/18.

Attendance: Three representatives; Township Road Foreman; Board Chairman, Vice-Chair., and Sec/Treas.

This evening, John Cypher *moved* to award the 'seal coat' bid to the apparent lowest bidder, Russell Standard Corp., for the total of \$499,063.38. *Seconded* by Braden Beblo. All agreed and *motion carried*.

In regards to the 'escrow accounts' being merged into one bank account: Attorney Marshall advised that the Township is not required to put escrow or developer funds into an interest bearing account unless the 'sewage agreement' or the 'developer's agreement' states such. In our case, the sewage agreements that were initiated when we were members of the Butler Co. Sewage Assn. (or Municipal Codes Assn.) DO state that the funds will be deposited in an interest bearing account. He said, therefore, that we must continue to keep the current funds in an interest bearing account; but in the future, do not put that wording into any agreements. The Township does have the right to deduct 'administrative' and other fees from escrow funds. The Supervisors agreed to leave the escrow accounts 'as is', in separate CDs (certificates of deposit) with interest accumulating to each one.

The Secretary reported that she spoke with Larry Plowman (our webmaster) about the server proposal from RA Services. He spoke with them today. Larry advises that the cost is too high; that the sec/treas. can continue to back up our accounting to RA Services server online. He recommends looking into a less costly 'server' to back up our other software and documents (Microsoft Word, Excel, Outlook, etc.) to protect the township in case of a computer failure/crash. The Supervisors took no action/not interested in purchasing the server as proposed by RA Services.

Wendy Leslie, County CDBG Coordinator, was present for the "1st Public Hearing on the 2018 CDBG Grant Entitlement" advertised by Butler County for 6:50 P.M. this evening. She reported that the purpose of the public hearing is to take public comment on the 2018 CDBG Entitlement Funds. No calls or letters have been received. The grant for 2018 is expected to be close to that of 2017, which was \$94,181. She reminded the Supervisors that CDBG funds were targeted for complete elimination by the Federal government for 2018, but was not! However, CDBG funding could still be targeted for elimination in 2019's budget. She stated that from 2006 to 2017 the Township has received \$1,260,959 in CDBG funding. There is about \$7,000 left in the 2015 CDBG; \$78,187 in the 2016 CDBG; and \$77,285 in 2017 CDBG. The Supervisors are to consider how to designate the use of the 2018 funding in the next month or so...before the 2nd Public Hearing is scheduled.

The secretary prepared a draft letter to be sent to Mr. and Mrs. Simms in regards to the 'next steps' needed for the Rustique Roost Land Development. Attorney Marshall reviewed and okayed the letter. *Motion* by John Cypher to send the letter to Mr. and Mrs. Simms. *Seconded* by Lois Rankin. All agreed and *motion carried*.

Attorney Marshall reported that he sent a 'revised cable franchise agreement' to Armstrong on March 21st. He has not heard back from Mr. Rose yet; he will follow-up with him this week. The current franchise agreement expires 9/15/18.

Attorney Marshall said Attorney Tim Bish is working with Leslie Rhoads to complete a 'draft' revised floodplain ordinance. There is a 45 day review period after the draft is completed. The ordinance will need to be enacted by the July Supervisors' meeting.

NEW BUSINESS:

A revised Fee Resolution (#413) is being presented this evening. The CEO asked for clarification on the agriculture structure exemptions and for clarification/expansion of the wording regarding 'road occupancy permits'. The revision also includes the increase in rental fee for the Ladies' Aux. Pavilion (from \$60 to \$75). *Motion* by John Cypher to adopt Fee Resolution #413 as presented. *Seconded* by Lois Rankin. All agreed and *motion carried*.

PSAB is offering a class on "Public Works Management" - May 23rd in Meadville. No interest. PSATS 'Learning at Lunch' webinar on "Planning for Stormwater Management" - April 11, 2018. After polling supervisors, Lois and Danielle were registered. *Motion* by John Cypher to ratify that approval and pay the registration fee of \$30. *Seconded* by Braden Beblo. All agreed and *motion carried*.

The PA Training Hub (PATH) is offering a "Municipalities Planning Code Refresher" (closest ones are Greensburg/April 18 and Meadville/May 8). No interest/no action by the Supervisors.

MISC. BUSINESS:

Information was received on Act 26 of 2017 in regards to the DEP comment period being extended until May 8th. The DEP Policy being 'slipped in' will require townships (municipalities) that want to approve planning modules with 'marginal conditions' (alternate systems) to establish a "sewage management program with mandatory pumping - township wide." The Supervisors do not like the policy being considered; the Board took no action.

Lois Rankin said that Central Electric is offering a 'First Responders' Electrical Hazard Training' on April 25th from 7 to 9 PM. The flyer was passed around to each Supervisor and Bill was asked about going, but indicated that he would not be available that evening. No interest indicated from anyone else.

Lois Rankin noted that the May meeting falls the night before Election Day (May 15th) and workers will not be able to set up the room until late Monday evening or 'very early' Tues. morning. Someone will contact Chris Keck to let them know. Lois would like help stacking chairs after the regular meeting.

Lois Rankin asked if we report Act 13 Funds on our website. Lois Fennell said that we do post the annual budget that includes 'impact fee' monies. Until this year, we have not actually 'used' any of those funds.

Lois Rankin reported that she did check out the 'tire dumping' on O'Hara Rd. and would like something put in the newsletter that dumping of tires is illegal. She said an article in the Township News indicates that surveillance kits with concealable, lockable cameras will be available to recipients of the DEP "Illegal Dump Free PA Grant Program" to try and catch 'illegal dumping.'

Lois Fennell noted receipt of a 'invitation to all elected officials' from Butler Co. Assn. of Realtors for a "Smart Growth for the 21st Century" course to be held Monday, May 21st at BC3 - cost is \$10. No interest indicated.

ATTENDANCE:

Wendy Leslie, Jim Frye, Bill & Mandi Foertsch, Rich Craft, Leo Rosenbauer, Evie Gross, and Roger Cypher.

ADJOURN:

John Cypher *moved* to adjourn at 9:38 PM. *Seconded* by Braden Beblo. All agreed and *motion carried*.

The next regular meeting is scheduled for Monday, May 14, 2018 at 7 P.M. at the Township Building, 157 Great Belt Rd., Butler.

Respectfully submitted by Sec/Treas., Lois Fennell