

JEFFERSON TOWNSHIP

REGULAR MEETING

May 13, 2019

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 May 13, 2019. 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 announced that the Supervisors met in brief executive session with the attorney just prior to the start of this evening's meeting.

PUBLIC COMMENT ON THE AGENDA AS PRESENTED: None.

MINUTES:

John Cypher *moved* to approve the April 8, 2019 regular meeting minutes as written and distributed. *Seconded* by Lois Rankin. All agreed and *motion carried*.

FINANCIAL:

Bills paid between the April 30th and May 13, 2019 meetings totaled \$1,036.22. Bills presented for payment from the General Fund this evening totaled \$22,095.19. No bills were presented from the State Fund. The total of all funds after payment of the bills reported is \$1,563,625.52. John Cypher *moved* to pay the bills plus any regular bills that may become due prior to the June 10, 2019 meeting. *Seconded* by Lois Rankin. All agreed and *motion carried*.

PUBLIC BUSINESS OR COMMENT:

Mr. and Mrs. Jim Robinson were present for a decision regarding their request for a driveway permit on onto Bullcreek Rd. which has a site distance problem. As discussed last month, the proposed location of the driveway cannot be moved due to the septic system sand mound location. The site distance was re-measured at 239 ft. right/327 ft. left. There was considerable discussion this evening about the 6 existing driveways in that location that probably have similar site distance problems and the matter of allowing the property owner use of his lot (created nearly 50 years ago.) Although the Township may consider other signage (such as 'hidden driveways'), they could survey to consider reduced speed limit in future (it is currently 35 mph.) Chairman Cypher said he would not recommend a left turn, thus limiting the liability of both the Robinsons and the Township. *Motion* by John Cypher to approve a modification for the driveway to be 'right turn only'. *Seconded* by Braden Beblo. All agreed and *motion carried*. Mr. Robinson will be responsible for placing 'no left turn' (or right turn only) sign(s)...Chairman Cypher said they would talk about this before Mr. Robinson purchases the sign(s).

Paula Painter, candidate for Butler County Prothonotary (vacancy due to Glenna Walter's retirement), was present to introduce herself. Marci Mustello, candidate for State Representative (seat left vacant by Brian Ellis), presented information about herself as well. Both will be on the ballot at the May 21st primary election.

RECREATION COMMITTEE:

Recreation Committee Chairman, Brian Patten could not be present, so Supervisor Cypher reported on the May 1, 2019 Recreation Meeting. Baseball: www.saxonburgbaseball.com Pool: www.sebcopool.com Softball: www.sagsa.org Soccer: www.knochsoccer.org

Baseball: Registrations remain open for Legion and Colt Divisions only; all others are closed. Opening Day is scheduled for May 4th. Tournaments Scheduled: 9U July 5-8; 10U and 11U June 27-30. *Chairman Cypher noted that these dates may conflict with the already approved rental of the Ladies Pavilion...he will talk to Scott Kriley about it!* Scott and Roger discussed the facilities (sinks and toilets) in the upper concession stand. Roger looked at them again and they are all functioning properly. New fixtures will be discussed further at future meetings. Baseball has asked if the Township has any AED (defibrillators) available for installation in both of their concession stands. *The Township discussed this matter in the past; they have never found a viable way to keep track of AEDs and who would be using them. The Supervisors agree that the park organizations (baseball, softball, soccer and pool) can purchase them for their licensed areas, make available for use and make sure persons are trained to use them.* Chairman Cypher noted that he received a call from Baseball Pres. Adam Lineman about a broken wooden bench on one of the older bleachers. *He told Mr. Linemen that the township does not replace the bleachers in the organizations licensed areas...other than those purchased with DCNR grant or with insurance claim money (tree damage) and with Wayne Deaner Memorial funds.*

Pool: Opening Day for the Pool will be May 25th, pool prep work is now underway. Greg would like to thank the TWP crew for mowing inside the fence, this aided in their cleanup efforts this year. The 2019 entrance fees and pass costs will be the same as they were in 2018. The Pool is planning a 2019 Community Day Celebration (date to be determined.)

Softball: High School and BC3 seasons are almost over. SAGSA is considering hosting a 1 age tournament in mid-July but no definite dates yet. Softball had previously expressed concerns about the security camera coverage gaps with the current system. *The Supervisors would like to note that re-aiming and installation is COMPLETE.* Jim had one of his coaches report a large broken branch that is over hanging the fence and walking trail in the first base area of field # 5. He asked if the TWP could look into its removal.

Soccer: Season begins the weekend of April 6 and will run through June 9th. Soccer is asking if the TWP can help in getting stone/gravel for the upper parking lot. They were thankful for the grading work done to the parking entrance but stated that the secondary parking area is quite muddy when it rains. Soccer also asked about the feasibility of extending the large concrete block retaining wall, extending it further to the East so that it would accommodate more cars in the main parking lot. *It was noted by the Supervisors that the Township will NOT consider extension of 'concrete block retaining wall'; this is beyond the scope of the township's responsibility.* Soccer was going to trim some of the brush along the fence between their fields and the upper parking lot.

Park Projects: The \$2,025 in donated funds in memory of Wayne Deaner was used to purchase bleachers for Pony Softball Field. SABA will advise a date that they can arrange some volunteers to help with the assembly of the bleacher and we will coordinate the bleacher delivery with the road crew.

Chairman Cypher asked the Supervisors to consider re-applying for the DCED "Greenways, Trails and Recreation" grant again this year. Application is due by the end of May. The cost of the project (paving of the trail) has gone up from \$177,000 to \$250,000. Our 'share' of this grant is 15% (or \$37,500) which would be paid from the 'gas lease/park funds'. After some discussion, John Cypher moved to make application to the DCED via the County Parks and Recreation Dept. Seconded by Braden Beblo. All agreed and motion carried. John Cypher moved that he be authorized to sign the grant application and paperwork needed to make application. Seconded by Braden Beblo. All agreed and motion carried. John Cypher moved to prepare a letter committing to payment of the 15% local match. Seconded by Braden Beblo. All agreed and motion carried.

John Cypher moved to adopt Resolution #432 requesting the funding (as described above.) Seconded by Braden Beblo. All agreed and motion carried. Motion by John Cypher to authorize payment of the \$100 application fee (Check#15514). Seconded by Braden Beblo. All agreed and motion carried.

It was noted that HRG, Inc. continues to work on the 'new park master plan'. It may or may not be ready for submission with this DCED grant application.

ROAD FOREMAN REPORT:

Chairman Cypher read the report submitted by Road Foreman William Foertsch. The housing plan roads have been swept. The used Hustler zero-turn mower was sold via Municibid for \$3,000. Since the purchaser came 'early', the secretary called all three supervisors for the approval to proceed. *Motion* by John Cypher to ratify approval of the sale (by bid as advertised via Municibid) to Kenneth Yoder from Harleysville, PA. *Seconded* by Braden Beblo. All agreed and *motion carried*. Several drainage issues have been corrected on Burtner, Fisher and Bullcreek Rd. John Cypher noted Hannahstown Rd. as well. Approximately 550 ft. of 12" drainage pipe and 4 catch basins have been installed along Nursery Lane to remove ponding of water along the road. Material that was removed, was dumped along Great Belt Rd. between Plowman Lane and Rt. 356 to cure a low shoulder issue. Gas well trucks and other heavy haulers have been using Knoch Rd. They were notified that the road was not bonded and to use the State Routes. Knoch has been posted for 10 ton weight limit; Clinton Township is working on posting their end of Knoch as well. William Foertsch and Austin Taylor attended 2 training classes for PA 1-Call in New Castle. They also attended along with John Cypher a 2-day EMC training course for Dirt & Gravel Roads and Low Volume Roads. Current certifications expired in April. *Motion* by John Cypher to ratify attendance (free registration) at these ECM classes in Greensburg on April 24 and 25. *Seconded* by Braden Beblo. All agreed and *motion carried*. The first berm mowing is to start this week, weather permitting, with a goal of completion by the end of May. Aluminized steel squash pipe has been ordered for Alwine Rd. Installation is scheduled for after July 5th. Options: rent an excavator with a jack hammer and vibratory plate OR hire an outside contractor with their machine and operator. (Road crew will handle the labor and material hauling.) *Motion* by John Cypher to get cost comparison on the two options before deciding. *Seconded* by Braden Beblo. All agreed and *motion carried*. The foreman reported an increase of residents blowing grass clippings on to the roads throughout the township. This is a major safety issue, plus it causes extra labor and equipment use to keep the drainage infrastructure open. It is also unlawful to blow or push debris on to public roadways. After some discussion, John Cypher *moved* to put a notice in the newsletter. *Seconded* by Braden Beblo. All agreed and *motion carried*. *Motion* by John Cypher to also authorize a 'letter of notice' that can be distributed to those properties that are leaving the grass clippings on the road. It will state: When mowing your grass this season, PLEASE DO NOT allow the cut grass to accumulate on the roadway. It is a safety issue – especially if the grass becomes wet. It could cause a vehicle to lose traction and 'you', the property owner and/or resident, could be held responsible for an accident! *Seconded* by Braden Beblo. All agreed and *motion carried*.

John Cypher noted that the Board tabled decision on the 'guide rail' for O'Hara Rd. last month. All three Supervisors have looked at the area. *Motion* by Braden Beblo to get the price to install the guide rail on O'Hara Rd. (location as per the LTAP study). Lois Rankin *seconded*. All agreed and *motion carried*.

PLANNING COMMISSION:

Planning Chairman, Leo Rosenbauer, reported on the April 15, 2019 P.C. meeting. The P.C. reviewed the Summit Presbyterian Church's Subdivision Plan (on Caldwell Dr.) submitted by Stan Graff's office. It creates Lot 1 of 2.53 acres with existing dwelling/septic and 175' (or more) frontage on Caldwell Dr. The church will keep Revised Parcel A of 21.42 acres with existing dwelling (parsonage) and church and an estimated 50' strip (not a right-of-way) connecting the other part of Parcel A (behind Lot 1 and behind the existing lot owned by Eichenlaub.) The P.C. recommended approval of the plan contingent upon 4 matters to be addressed: 1) existing shed (on the 50' strip...if still there...needs to be marked 'nonconforming structure' and also the dwelling on Parcel A needs to be marked 'nonconforming structure'); 2) the strip of land's actual width needs to be written on the plan; 3) the 'title' of the signer needs to be included in the dedication line(s); and 4) the standard stormwater clause needs to be included on the plan. All 4 of the contingencies have been addressed. The SEO has verified that the 2 walk-a-rounds are satisfactory. Butler County Planning Commission had 'no comments'. There was discussion this evening (5/13/19) that the church will be removing the old shed from the strip of land (item 2 above) and that it should therefore be removed from the plan. *Motion* by John Cypher to approve the Summit Presbyterian Church (Subdivision) Plan contingent upon removal of the old shed from the strip of land connecting the parts of Parcel A. *Seconded* by Lois Rankin. All agreed and *motion carried*.

The P.C. spoke to Mr. Brian S. Ekas of 132 Great Belt Rd. regarding a proposed addition (garage, bedroom and bath) on the side of his existing house. After some discussion, the P.C. told him to submit a

PLANNING COMMISSION, cont:

'modification form' and recommended it to be a 'one-stall garage' to keep a moderate set-back from his parents' property line with a notarized letter of permission. The formal modification request (form) has been submitted for the P.C. to review on May 20, 2019. The SEO, Doug Duncan, has been contacted about the Eco-flow septic system installed in 1999 for him to determine if it is adequate for an additional bedroom and bathroom.

Mr. and Mrs. Tim Verzilli expressed their concerns to the P.C. about the proposed land development discussed with Doc and Mrs. Wise last month. The P.C. explained that nothing has been submitted yet and that the Wises were told they must comply with the PA Uniform Construction Code as well as the Township Subdivision and Land Development, Floodplain and Stormwater Ordinances; and also DEP regulations in regards to the restrooms.

It was noted that the NPDES permit has been issued for the Stoneybrook Phase II development. We are waiting to hear from Kevin Miller in regards to completion of the road bonding, etc.

There was some discussion about the building permit application submitted by Albert Godfrey for 162 Caldwell Dr. The 'pole building' is large and there is no existing structure/dwelling. Therefore, it was agreed by the Board and Attorney Marshall that since the proposed building has no primary structure (dwelling) that Mr. Godfrey must present a land development for approval before he can obtain a building permit. There was further discussion on future revisions to the SALDO to require land development for structures over a 'to be determined size' (i.e. if over 75% of existing house); Attorney Marshall said it may be okay if we apply it to 'all' uses/structures.

OLD BUSINESS:

The Park Rules and Regulations Ordinance #431 was duly advertised for adoption this evening. John Cypher asked for any further comment. There being none, John Cypher *moved* to adopt Ordinance #431 as advertised. *Seconded* by Braden Beblo. All agreed and *motion carried*. Chairman Cypher noted that all copies of the 'old rules and regs.' should be destroyed and new copies distributed to the Recreation Committee and Park Associations.

The 2019 Road Project bids were 'due' by 2 PM today. Three envelopes were received and opened publicly this evening. Protech Asphalt Maintenance, Inc. - Total \$1,017,951.61. Bid bond enclosed.

Wiest Asphalt Products & Paving, Inc. - Total \$859,786.99. Bid bond enclosed.

Shields Asphalt Paving, Inc. - Total \$840,472.09. Bid bond enclosed.

It was noted that XTO's share is to be 50% of the actual cost for the roads they have bonded...around \$195,000. It was planned to take about \$198,500 from the Impact Fee Funds for this project (Hannahstown Rd.). Current balance in that account is \$580,798 and we anticipate (budgeted) income of about \$100,000 additional this year. There was some discussion, including the possibility of hiring Glen Heilman again to oversee this project, taking random samples, making sure the contractor understands they must do all traffic control and proper signage, etc. John Cypher *moved* to award the full contract to the apparent lowest bidder, Shields Asphalt Paving, Inc. (total bid \$840,472.09). *Seconded* by Lois Rankin. All agreed and *motion carried*.

Although the Township has not been notified of the 2019 Community Development Block Grant (CDBG) allocation, the Supervisors have no 'project' in mind at this point for the funding. *Motion* by John Cypher to designate the 2019 CDBG for 'housing rehab.' *Seconded* by Braden Beblo. All agreed and *motion carried*. It was noted that should an eligible project be proposed, funding can be redirected via a change order. An eligible project must benefit 51% or more low to moderate income or be a qualified handicapped accessibility project.

Chairman Cypher reported that discussions between Mr. & Mrs. Ray Wise and Mr. & Mrs. Spaulding failed. They could not agree; Mrs. Wise will not allow an easement for either repairs or 'new system'. A letter was sent giving Mr. & Mrs. Gary Spaulding 30 days to come up with a plan to remedy the failed septic system and an additional 30 days to complete the work.

OLD BUSINESS, cont.:

Chairman Cypher said the draft 'manager ordinance' received from Attorney Marshall is 'gorgeous'. It is just right in stating the authority to be given to the manager and allows for some changes in duties to be put into effect by resolution when needed. Supervisors Rankin and Bebilo agreed; there was no further comment except for explaining that under the PA 2nd Class Township Code the position of manager must be done by ordinance. *Motion* by John Cypher to authorize advertisement of the ordinance creating the position of manager in Jefferson Township. *Seconded* by Lois Rankin. All agreed and *motion carried*. Attorney Marshall will prepare the advertisement.

NEW BUSINESS: None.

MISC. BUSINESS:

- Received NOTICE from Civil & Environmental Consultants, Inc. regarding application to DEP by PennEnergy Resources for renewal coverage for a Permit to Drill & Operate an Unconventional Well - W70 6H Well off Golden City Rd.

- Received NOTICE from Endeavor Professional Engineering & Design that PennEnergy Resources is applying to DEP for a permit to drill and operate an unconventional well - PER W57 Well 10H in Winfield Twp. on Darby Lane. Also, another notice that PennEnergy is applying to DEP for a permit for PER W60 Well 4H & 5H on Bauer Rd. in Winfield Twp.

- Received NOTICE from Civil & Environmental Consultants that PennEnergy is applying to DEP for a Chapter 105 General Permit Registration for temporary stream and floodway impacts associated with the PAW to W69 and W70 Temporary Waterline Project.

A letter was received from the South Butler County Library announcing their "Booktoberfest" fundraiser scheduled for Friday, Sept. 27th at the Saxonburg Firehall. Anyone interested in donating 'baskets' to give away may contact the library at 724-352-4810.

Lois Rankin reminded township officials that 'signed up', that the 104th Annual Spring Convention of the Butler County Association of Township Officials is Thurs., May 16, 2019 at the Butler Country Club.

Lois Rankin noted that she attended two NIMS classes at Penn Township earlier this month.

ATTENDANCE:

Lil Bachman, Evie Gross, Leo Rosenbauer, Roger Cypher, Mr. and Mrs. Robinson, Bill & Mandi Foertsch, Bruce Dean, Paula Painter & her father, and Marci Mustello.

ADJOURN:

Motion by John Cypher to adjourn at 8:58 P.M. *Seconded* by Lois Rankin. All agreed and *motion carried*. The next regular meeting is scheduled for Monday, June 10, 2019 at 7 P.M. at the Township Building, 157 Great Belt Rd., Butler.

Respectfully submitted by Sec/Treas., Lois Fennell