

JEFFERSON TOWNSHIP

REGULAR MEETING

November 23, 2020

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 7:03 P.M. on November 23, 2020. All rose to pledge the flag.

ROLL CALL:

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

ANNOUNCEMENTS:

The Supervisors met in executive session on Oct. 28, 2020 at 6:30 PM regarding personnel matters. There was NO Nov. 9th meeting due to 'lack of quorum'. The regular meeting was rescheduled and advertised for this evening, 11/23/2020. The December meeting was moved and advertised for Wed., Dec. 16th at 7 P.M.

PUBLIC COMMENT ON THE AGENDA AS PRESENTED: None.

MINUTES:

John Cypher *moved* to approve the October 12, 2020 regular meeting minutes as written and distributed. *Seconded* by Lois Rankin. All agreed/*motion carried*.

FINANCIAL:

Bills paid between the Oct. 12th and the Nov. 23, 2020 meetings totaled \$52,598.88. Bills presented for payment from the General Fund this evening totaled \$13,433.46. No bills were presented from the State Fund. The total of all funds after payment of the bills reported is \$1,533,556.17. John Cypher *moved* to pay the bills plus any regular bills that may become due prior to the December 16, 2020 meeting. *Seconded* by Lois Rankin. All agreed and *motion carried*.

PUBLIC BUSINESS OR COMMENT: None.

RECREATION COMMITTEE:

The Recreation Committee does not meet in November, December, and January. No report, except that it was noted the park gates were locked on 11/16/2020.

ROAD REPORT:

John Cypher read the Road Report as submitted. The road crew did winter road maintenance on Nov. 1st; clean-up after Nov. 15th windstorm; and winter maintenance Nov. 17th due to surprise snow/sleet storm. Chairman Cypher said: 'thanks for their good work!'

The road foreman and manager met with Summit Township and Shields Paving and later with Summit Township and PennDOT regarding the Bonniebrook Road project. The manager reported that Cory Shaffer from PennDOT is checking on whether Jefferson Township's tree-trimming and Summit Township's guide rails/installation can be separate bids from the paving for the Bonniebrook Rd. project. He is also checking on the proposed extra mill and fill, in both townships, needed on Bonniebrook Rd. and if we can bid jointly (separately from the Bonniebrook Rd. project 'grant'). Only Patterson Road was sealed this year; Rennick, Marwood, Neupert and West Jefferson still need done. No snow fence was installed due to lack of personnel.

Park leaf removal is in progress; the new leaf blower works fantastic. They cleaned the Ladies' pavilion and built a safe cover for the fireplace opening. Equipment maintenance has and is being done as needed. Front tires on the payloader were fixed. Miscellaneous parts were picked up. Tires were purchased from Good Tire for the 2015 truck. Trucks were changed over for winter maintenance.

PLANNING COMMISSION:

Leo Rosenbauer, P.C. Chairman, noted that there was no Planning Commission meeting on Nov. 16, 2020, but there is business from Oct. 19, 2020 to review for possible action by the Supervisors. Penn United Technologies submitted a land development for a proposed addition of a 40' x 80' (3,200 sq. ft.) on Building #2 (warehouse) off Durango Lane. The plans were reviewed by the manager and the township engineer. There will be a 13' x 48' x 4' deep on-lot sump; and one additional ADA parking spot. HRG had only two comments: 1) note on plan that it is outside of the floodplain (done) and O & M agreement needs signed and submitted for recording (pending). The P.C. voted to recommend approval contingent upon the execution and recording of the Operations and Maintenance Agreement and satisfactory review from the Butler County Planning Commission. Since Oct. 19th, the addition to the warehouse needed a 'handicapped walkway change' per Code.sys review and as of today, handicapped restrooms need added per Code.sys review. Penn United notified us that they need a temporary sewage holding tank. The SEO said that DEP planning would not be needed, since they are not increasing personnel, but the system still needs designed; a holding tank agreement signed and a sewage escrow account set-up. Manager, Leo Rosenbauer, recommended that that the land development decision be tabled this evening and that Penn United Technologies request an extension to give them and the Township time to review the changes to the land development. John Cypher *moved* to table action on the land development until formal changes are submitted and reviewed. *Seconded* by Lois Rankin. All agreed and *motion carried*.

Lloyd Brewer from Neupert Rd. submitted a modification request for a second driveway in order to separate his property access (117) from his niece's property (115) per court order. He has an existing driveway to his garage; and shares a driveway next to 115 Neupert Rd. Our ordinance allows only one driveway per lot, therefore he is requesting that the Township approve a modification. Mr. Brewer showed the P.C. part of the court order due to confidentially clause. The P.C. voted to recommend approval of the 2nd driveway on Lloyd Brewer's property. *Motion* by John Cypher to approve the modification request for the 2nd driveway on the Lloyd Brewer property due to the court order. *Seconded* by Lois Rankin. All agreed and *motion carried*.

Donald Isovitsch of 144 Bonniebrook Rd. has an existing shed setting on the common property line between him and his neighbor, Norma Allen. He wishes to remove that shed and construct a 16' x 10' lean-to on the back of his other existing shed. The neighbor, Norma Allen, would not sign the permission letter. The lean-to addition infringes further into the rear set-back, but due to property contours it cannot be placed elsewhere on his lot and it *does* improve the situation by removing the old shed 'on' the property line. The P.C. voted to recommend approval of the 13 ft. set-back for the lean-to addition as long as Mr. Isovitsch removes the 'old' shed as proposed. There was significant comment by Chairman Cypher, who stated that Mr. Isovitsch is basically asking the Supervisors to 'take up sides in a dispute'. The Board is not here to 'judge' but to enforce the PAUCC regulations and the ordinances of the Township. *Motion* by John Cypher to deny the modification request. *Seconded* by Lois Rankin. All agreed and *motion carried*.

John Hook submitted a modification request in August for a 'lean-to' partially constructed without a building permit and he returned this evening with revisions. Located at 738 North Pike Rd., it is 20' x 53'6" (previously indicated as 25' x 53'). The wall WILL NOT be attached to the existing building and the roof lines will NOT touch (one will be above the other). His architect said a fire-proof barrier can be installed between the two buildings. A notarized letter of permission had already been obtained from the neighbor, James Hollobaugh, allowing the 7' to 5'6" side set-back. The rear of the addition, which is in-line with the existing structure, is 14'6" from the park property line. Mr. Hook and his mother, Aleta Hook, do not wish to submit a land development for it to be commercial due to costs; but would like to use the addition for personal use/storage. The P.C. voted to recommend approval of the modifications for side and back setbacks and allow the 'unattached' addition to be used for personal/residential storage contingent upon a fire-proof barrier being installed and an agreement (to be recorded) being executed stating that the structure will be used for personal/residential only and agreeing to the township's annual inspection for compliance. The Supervisors discussed the matter at length. John Cypher expressed his concern regarding 'access' for emergency vehicles; future use of the 'addition' being 'commercial'; and attempting to skirt the PAUCC regulations. Supervisor

PLANNING COMMISSION, cont.:

Braden Beblo disagreed, stating that there is still sufficient access for emergency vehicles; he does have personal equipment (boats, etc.) to store in the addition; and annual inspections for compliance will prevent change of use to commercial. *Motion* by John Cypher to deny the modification. *Motion died for lack of a second.* After further discussion, Braden Beblo *moved* to approve the modifications for side and back setbacks and allow the 'unattached' addition to be used for personal/residential storage **contingent upon:** 1) installation of a fireproof barrier and a water proof barrier between the existing building and the addition as designed by a registered engineer or architect; 2) a doorway/access between the old and new 'unattached' addition is prohibited; 3) there will be NO utilities in the addition (electric, gas, water or sewage); 4) an annual inspection by the Township will be required at a cost of \$60.00 annually per revised Township Fee resolution; 5) a \$10,000 bond or escrow account paid by the property owner(s) to be held by the Township in perpetuity for the removal of said structure in the event the current/future property owner(s) convert said structure to any other use except for residential storage or violate any condition set-forth in these minutes and in a recorded agreement. 6) an agreement including but not limited to the above contingencies will be prepared by the Township Solicitor, signed by the property owner(s) and recorded. All legal fees and recording costs are the responsibility of the property owner(s). Lois Rankin *seconded*. Vote: L. Rankin and B. Beblo agreed/John Cypher opposed. *Motion carried 2 to 1.*

Cheryl Kretzer (Mark) of 197 Burtner Rd., Butler, presented a request for a temporary hardship dwelling. Her mother is 83 years old and they cannot afford to place her in a personal care home. They propose to place a 'park model' in their driveway, making it close for easy connection to the existing septic system. Chairman Rosenbauer reviewed the ordinance with the P.C. members. The P.C. voted to recommend approval of the 'hardship dwelling' **contingent** upon satisfactory review of the application by the township manager/codes officer for compliance with the ordinance and verification of the existing septic system by the Sewage Enforcement Officer. *Motion* by John Cypher to approve the 'hardship dwelling' request **contingent upon** 1) satisfactory review of the existing system by the SEO, Doug Duncan and 2) submission and satisfactory review of a building permit for installation of said temporary dwelling. They still must follow setbacks and get an annual inspection as required by the ordinance. *Seconded* by Lois Rankin. All agreed and *motion carried.*

UNFINISHED BUSINESS:

The proposed 2021 Budget was introduced in October to the Supervisors. They decided not to hold a 'workshop', but to review it at the Nov. 9, 2020 meeting, which was cancelled due to lack of a quorum. It has been revised by the sec/treas. to include increases in 511 Taxes (Earned Income and Local Services Tax) received this year (2020) and to include funds for possible additional road crew personnel. *Motion* by John Cypher to authorize advertisement of the proposed 2021 Budget as presented this evening. *Seconded* by Braden Beblo. All agreed and *motion carried.*

The Nativity of the Theotokos Monastery Land Development was approved 'contingent' in August 2020 and the contingencies included a complete submission of the sewage planning module to the DEP. Final signatures on the module were submitted Oct. 13, 2020. It is recommended to adopt the "Resolution for Plan Revision" per DEP regulations. *Motion* by John Cypher to adopt Resolution #462 as presented. *Seconded* by Braden Beblo. All agreed and *motion carried.*

Chairman Cypher asked if the other Supervisors want to authorize advertisement for an additional road crew personnel (to take applications and hold interviews). *Motion* by Braden Beblo to advertise in the Butler Eagle for a road crew position. *Seconded* by John Cypher. All agreed and *motion carried.*

The proposed, revised Burning Ordinance was re-advertised for adoption at the Dec. 16, 2020 meeting.

NEW BUSINESS:

Chairman Cypher reported on House Bill 1582, which has passed the House and is currently with the Senate. It will allow townships to adopt an ordinance (or resolution) to remove the elected auditor's positions. The 'law' will allow the townships to stipulate 'how to set working supervisors' pay' in the absence of the elected auditors.

Motion by John Cypher to authorized advertisement of the intent of the Supervisors to appoint a CPA (or accounting firm) at their Jan. 4, 2021 meeting 'who will examine all of the accounts of the Township for the fiscal year 2020'. *Seconded* by Braden Beblo. All agreed and *motion carried*. It was noted that this advertisement must be placed before the end of November (or at least 30 days prior to the expected date of appointment. The appointment resolution to be adopted on Jan. 4, 2021 – will be #463 (tentatively.) Elected auditors (which were appointed in Jan. 2020 for the years 2020 and 2021) should meet on Tues., Jan. 5, 2021 to set the pay for any working supervisors.

Butler County Commissioners held a 'zoom meeting' on Nov. 12, 2020, at which they urged a 'joint/collectively signed' advertisement to be placed in the Butler Eagle by Butler County on 11/13/20. The manager, Leo Rosenbauer, chose to sign the 'statement in support of this advertisement campaign' and suggested that the Supervisors vote to ratify the support of this statement: COUNTY LEADERS URGE RESIDENTS TO ACT NOW TO SLOW THE SPREAD OF THE CORONVIRUS. *Motion* by John Cypher to ratify the support. *Seconded* by Braden Beblo. All agreed and *motion carried*.

MISC. BUSINESS:

We received a very, nice 'thank you' note from Perry Dawson and Cub Scout Pack #51. At the request of Chairman Cypher, a letter was sent from Jefferson Township (signed by the manager) thanking them for their interest.

The manager asked the Supervisors to stay after the meeting for a brief executive session regarding personnel and they agreed.

ATTENDANCE:

Bill & Mandi Foertsch, Sean Naylor, Lloyd Brewer, Donald Isovitsch, Cheryl Kretzel, & Jim Rankin.

ADJOURN:

Motion by John Cypher to adjourn at 9:00 P.M. *Seconded* by Braden Beblo. All agreed and *motion carried*.

The next regular meeting, which would have been Dec. 14th, was re-scheduled and advertised for Wednesday, Dec. 16, 2020 at 7 P.M. at the Township Building, 157 Great Belt Rd., Butler.

Respectfully submitted by Sec/Treas., Lois Fennell