

# JEFFERSON TOWNSHIP

## REGULAR MEETING

November 8, 2021

### 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 7:00 P.M. on Nov. 8, 2021. All rose to pledge the flag.

### ROLL CALL:

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

PUBLIC COMMENT ON THE AGENDA AS PRESENTED: None.

### ANNOUNCEMENTS:

There was a Public Hearing at 6:45 PM this evening as advertised by the County of Butler for public comment on the proposed change of use of the \$48,131.00 CDBG-CV funding allocation that had been designated for rent/mortgage/utility assistance. They did not receive any qualifying applications. Wendy Leslie, the CDBG Coordinator, was present to take comments and answer questions. There was no one present to offer comment, and the township officials did not receive any written or verbal public input prior to the meeting. The Supervisors voted last month to reallocate the funding to housing rehab. for 'air quality' (i.e. for ventilation or mold remediation) due COVID issues. This evening, John Cypher *moved* to affirm the re-allocation of the CDBG-CV funding to housing rehab. *Seconded* by Braden Beblo. All agreed and *motion carried*.

Chairman Cypher announced that there was an executive session on Oct. 25<sup>th</sup> at 9 PM and following the Nov. 4, 2021 Special Meeting at about 3 PM on personnel matters. There was also an executive session prior to the start of this meeting (11/8/21) on personnel matters.

### MINUTES:

*Motion* by John Cypher to approve the minutes from the Oct. 11, 2021 regular meeting as written and distributed. *Seconded* by Braden Beblo. All agreed and *motion carried*.

*Motion* by John Cypher to approve the Nov. 4, 2021 special meeting minutes as written and distributed. *Seconded* by Braden Beblo. All agreed and *motion carried*.

### FINANCIAL:

John Cypher read the financial report as follows: Bills listed as paid between the Oct. 11<sup>th</sup> and Nov. 8, 2021 meetings totaled \$10,779.76. Bills listed for payment from the General Fund this evening totaled \$13,648.31. No bills were paid from the State Fund. The balance of all funds after payment of the bills presented totaled \$2,048,773.35. This amount includes the final reimbursement of \$131,306.88 for the Bonniebrook Road MultiModal Grant project. *Motion* by John Cypher to pay the bills presented and any others that are due prior to the Dec. 13, 2021 meeting. *Seconded* by Braden Beblo. All agreed and *motion carried*.

### PUBLIC BUSINESS OR COMMENT:

Mr. Thompson, from 312 Cobham Lane, was present to discuss his plans to move the structure discussed at the Sept. 13, 2021 Supervisors' meeting. This was placed under 'Unfinished Business' on the agenda, but Manager Rosenbauer asked if the Board could discuss the matter earlier this evening and they agreed. Mr. Thompson submitted a new building permit application for the garage, which is to

be moved to meet the setbacks per ordinance. He has a crane contractor coming in about one week. After a brief discussion on the preparation for the move, Chairman Cypher *moved* to allow 90 days to complete the work, since he has submitted a new application and anticipates start and finish of the work, weather permitting. *Seconded* by Braden Beblo. All agreed and *motion carried*.

#### RECREATION BOARD REPORT:

A copy of the October 6, 2021 Recreation Committee meeting minutes were received late last week. Chairman Cypher noted several items: The Pool Study is underway. There is an online survey available 'on-line' this winter for public input. Notice of the link will be posted on the website as soon as it is available.

Projects: Resident Cale Patten has volunteered to oversee the design and installation of Kiosks/Signs at the two park entrances. He will be working with the Recreation Committee's list of requirements for these and will submit a design(s) for approval. The goal is to have the project completed by late spring 2022.

Action Request: Ask Township to winterize the upper concession stand water system after Nov. 8<sup>th</sup>. Manager Rosenbauer reported that this has been done.

Baseball – [www.saxonburgbaseball.com](http://www.saxonburgbaseball.com)

Pool - [www.sebcopool.com](http://www.sebcopool.com)

Softball – [www.sagsa.org](http://www.sagsa.org)

Soccer – [www.knochsoccer.org](http://www.knochsoccer.org)

There was significant discussion on requests from Chris Tully from the Soccer Assn. for decision on whether the fences are their responsibility or the Township's responsibility. He also asked that the Township clear the brush and branches on the outside of the fences (to prevent possible damage to the fences.) There were also requests from the Baseball Assn. to address the field drains on T-ball field #6 and tree removal and trimming 'outside' the fence at Fields #3 and #7. Manager Rosenbauer had met with Chris Tully, and later walked the areas with Supervisor Beblo and Road Foreman Bill Foertsch. He would like the Supervisors' opinions as to what areas are the responsibility of the township or the association. He spoke with Attorney Marshall. Mr. Marshall said upon review of the License Agreements that he thinks the township is responsible for maintenance 'outside' of the fences. Leo spoke to someone at PSATS to inquire if any ARPA funds could be used to clear the area adjacent to the soccer fence and/or add a small walking trail area. PSATS indicated that funds spent need to be related to covid matters. After some discussion, they agreed that: 1) The Township is not responsible for anything inside the fences or the fences themselves. 2) The Township will look into 'brush hogging' a swath on the outside of the fence to keep brush and branches clear of the fence, where possible for the soccer field. 3) The Township will look into clearing trees two dead trees near the fields.

Supervisor Rankin noted that she was made aware of a 'fund raiser' being advertised (whether on-line or on Facebook) that is asking for donations of \$30 per bundle of shingles for the Soccer Association. The Township has never been notified about this and has nothing to do with it.

#### ROAD REPORT:

John Cypher read the road report as submitted. Crack sealing for the year is complete. West Jefferson, Marwood and Neupert Roads were done. More material will be needed for next year. Snow fence installation has started and is about one-third completed. A new front tire and a new battery were installed on the JD6330 tractor. The ladies' pavilion has been winterized by the road crew. The 10-ton weight limit sign was replaced on Bonniebrook Rd. near Durango Lane. It was damaged by a hit and run. A 10-ton weight limit sign on Victory Road near Dinnerbell Rd. was damaged in a roll over accident last month; it has been replaced. They will be pursuing reimbursement for damages. Salt spreaders will be installed as time allows to prepare for winter weather. The road crew has been doing leaf blowing/vacuuming at the park. The quote to replace the roof over the gas tanks came in at \$3,100. (See note under New Business.) Manager Rosenbauer reported that neither contractor is able to place the pavement 'rejuvenator' this year due to their schedules and upcoming winter weather.

## PLANNING COMMISSION:

Leo Rosenbauer (Planning Chairman) reported on the Oct. 18, 2021 P.C. meeting. A DEP Planning Module (Component 3S) was received for William G. Kingan, 426 Saxonburg Rd., Butler, PA 16002. The existing system failed and a 'small flow treatment facility' is needed. The P.C. voted to approve the Component 3S for William G. Kingan **contingent** upon satisfactory review and signing by the sewage enforcement officer and township officials. The Supervisors reviewed the Component on Nov. 8, 2021. *Motion* by John Cypher to approve the DEP Component 3S and adopt the Resolution (#477) for Plan Revision for New Land Development. *Seconded* by Lois Rankin. All agreed and *motion carried*.

A DEP Planning Module (Component 3S) was received for Greg Campbell, 588 Dinnerbell Rd., Butler, PA 16002. The existing system failed and a 'small flow treatment facility' is needed. The P.C. voted to approve the Component 3S for Greg Campbell **contingent** upon satisfactory review and signing by the sewage enforcement officer and township officials. *Motion* by John Cypher to approve the DEP Component 3S and adopt the Resolution (#478) for Plan Revision for New Land Development. *Seconded* by Braden Beblo. All agreed and *motion carried*.

Graff Surveying submitted a Lot-Line Revision (Plan No. 3) for M. Morrow on Alwine Rd. In 2014, a subdivision plan was approved providing for Lot 1 of 3.59 acres, Lot 2 of 3.22 acres and Residual Lot of approx. 17.3 acres. This Lot-Line Revision decreases the Residual lot to 5.97 acres (with reduction of Tract A and Tract B); increases Lot 2 to 15.44 acres (with addition of Tract B of 12.22 acres); and increases Lot 1 to 5.57 acres (with addition of Tract A of 2.18 acres.) Lots 1 and 2 have existing dwellings. There seems to be a discrepancy in the 'property area' for Lot 1 in the upper right corner tabulation chart; it should be 5.55 acres and Lot 1 acreage should be changed as well. The former approved and recorded plan (2014) had an old 'dwelling' that was to be raised, so as there would not be two dwelling structures on one lot. The former structure to be raised (2014) is now labeled 'building.' The P.C. cannot approve a subdivision with two dwelling structures on one lot. Not 'all' of the setbacks are shown on the plan. Notes should be placed on Lot 1 and 2 that they cannot be subdivided unless the driveway is brought up to private road specs (Subdivision & Land Development Ordinance Chap. 22 - 903.14). No one was present to represent the Morrows. The P.C. voted to table the M. Morrow Plan No. 3 (Lot-Line Revision). After a brief discussion about the old house which was indicated for removal on the 2014 plans; labeled 'building' on the plans reviewed on Oct. 18, 2021; and labeling changed on the revision submitted today to "partially raised, uninhabitable foundation". It was agreed that this structure should be removed. There was no action for the Board to take this evening (Nov. 8, 2021.) Manager Rosenbauer reported that the 'revision' submitted today, Nov. 8, 2021 will be reviewed by the P.C. at their Nov. 15, 2021 meeting.

The Wain Site Plan (Land Development) was submitted for Phillip H. Wain & Cathleen M. Wiltrout. The property is a flag-lot located off Bullcreek Rd. They are proposing an 80' x 48' building (replacing the old trailer) for a landscaping business (not for retail.) The setbacks are indicated on the plan. It was noted that they have no plans to widen the driveway (pole of flag-lot) to Bullcreek Rd. The P.C. voted to approve the Wain Site Plan (Land Development) with six (6) contingencies: 1) satisfactory review and solution of septic matters; 2) existing building (labeled 'garage') at northeast corner is to be labeled 'non-conforming'; 3) location of the 'sign' should be shown on the plan; 4) provide for an evergreen tree line (buffer) to block view at the western border along the ridge (Chap. 22 -602.8); 5) the 'stream' should be indicated on the plan if possible, if some is located on the subject property; and 6) clarify with the Township engineer the possible increase in impervious area (due to removing gravel in the rear and adding new driveway and parking in the front of the proposed building). The Supervisors review the plan this evening, Nov. 8, 2021. Contingency #1 (review and solution to septic matters) and Contingency #3 (location of sign shown on revised plan, but it needs to be moved to onto his own property) still need to be addressed. *Motion* by John Cypher to approve the Wain Site Plan (Land Development) with that one contingency (#1 – review and solution of septic matters and #2 – move sign onto Mr. Wain's lot.) *Seconded* by Lois Rankin. All agreed and *motion carried*.

## PLANNING COMMISSION, cont.:

The P.C. viewed concept drawings presented by Mark Schmidt and Matt Schmidt from Hampton Technical Services, and Shaun Suido, owner/developer, for preliminary discussion on a proposed plan of patio homes on the 44 acres off Constitution Ave. east of the Stoneybrook Plan of Lots. Their company is located in Ross Township and they have several developments in Butler County such as Leslie Farms in Connoquenessing Township and a few lots in the Plantation in Saxonburg/Clinton Township. They plan to call this development 'Liberty Point.' They plan on one entrance off Constitution Ave. for 29 buildings (4 units each). The units will be owned by the buyers and there will be an HOA. They will provide 'reserve' areas for future access to the north (Ginter property) and to the west (through Stoneybrook to Audrey Lane.) They noted several wetland areas and significant floodplain areas (Zone AE), which are being avoided (except the driveway at the Constitution access point.) They are working on a water course study; a traffic study, and a hydraulic study. There is a proposed walking trail indicated. Due to the contour of the property, the back row of condos (east) will sit about 6 ft. higher than the lower row of condos. Leo Rosenbauer said that the concept drawings were just received today and the P.C. needs time to review and consider any questions they might have. Noted this evening: sidewalks are proposed on 'one-side' of the road, which will require a modification application; the number of parking spaces needed at the proposed 'clubhouse' will be determined by state regs according to the use/size of the structure; bonding is needed on the public road (Constitution Ave.) for overweight vehicle use and for the construction of the development; they plan on two (2) Phases with a temporary cul-de-sac; the average cost of the condos is \$300,000 +/-; and the development is not age-restricted. They hope to acquire township approval by December's meeting, but it was noted that a NPDES permit could take 12 to 18 months for approval. They hope to submit official 'plans' for the next P.C. meeting on Nov. 15<sup>th</sup>. There was no action for the Supervisors to take this evening. No formal plan has yet been received from Hampton Technical Services or the owner. Manager Rosenbauer noted two potential problems: 1) there is no second access (they are proposing an access through Stoneybrook Plan to Audrey Lane; Stoneybrook Plan is 'incomplete') and 2) they have proposed in the concept drawings that storm sewers connect to the township storm drains. It was agreed that this is not possible; they need to drain into their own storm water pond(s).

The P.C. was notified that the Supervisors are in agreement to begin review and research to modify, revise, or add language as needed to revise the Subdivision & Land Development Ordinance, the Driveway and Private Street Ordinance, and the Multi-Family Ordinance. They will continue discussion for the next several months.

## UNFINISHED BUSINESS:

*Motion* by John Cypher to authorize advertisement of the intent of the Supervisors to appoint a CPA (or accounting firm) at their Jan. 4, 2021 meeting 'to examine all of the accounts of the Township for the fiscal year 2021'. *Seconded* by Lois Rankin. All agreed and *motion carried*. The Certified Public Accounting firm is Merge & Hill, P.C. (***The advertisement must be placed before the end of November (or at least 30 days prior to the expected date of appointment.) Appointment Resolution to be adopted on Jan. 3, 2022 – will be #480 (tentatively.) Elected auditors should meet on Tues., Jan. 4, 2022 to set the pay for any working supervisors. (They do not have any 'audit' responsibilities.) The sec/treas. needs to know by mid-Dec. what time they will meet.***

The Supervisors discussed the 2022 Budget Proposal distributed to them last month. Chairman Cypher noted that the donation to the library and the donation to the fire department should be increased. It was noted that the budget proposed includes an increase from \$8,000 to \$10,000 for the Saxonburg Volunteer Fire Dept. Mr. Cypher suggests raising the So. Butler Community Library donation from \$7,500 to \$8,000 for 2022.

There was also discussion on revising the 'fee resolution' to include an additional 'refundable deposit' on building permits to keep the file of 'outstanding' building permits to a minimum. If a permit is

## UNFINISHED BUSINESS, cont.:

completed (with a final inspection and/or a Certificate of Occupancy), the deposit could be refunded. If the permit is not completed or it expires, it would be 'non-refundable.' A 'modification application fee' was also requested for consideration by the Board (at their Sept. 13, 2021 meeting.) Chairman Cypher said there may be other changes and the revised fee resolution should be prepared for adoption at the Jan. 4, 2022 meeting.

*Motion* by John Cypher to authorize advertisement of the 2022 Proposed Budget with changes discussed this evening (donations increased to library and fire dept.) *Seconded* by Lois Rankin. All agreed and *motion carried*.

Discussion on 312 Cobham Lane (NOT Caldwell Dr.) took place under 'Announcements' earlier in the meeting.

## NEW BUSINESS:

A letter and invoice were received from C. W. Howard Ins. Agency for the Public Officials Ins. renewal for 2021/2022; total is \$6,483.00. A check has been prepared for payment this evening.

The quote for the shed roof over the gas tanks came in at \$3,100. It is to be replaced in December (includes new roof, stringers, sides, fascia, and snow guard.) See notes under the Road Report.

## MISC. BUSINESS:

A NOTICE was received from Gateway Engineers that they are applying for a GP5 Permit for Utility Line Stream Crossing on West Jefferson Rd. for Peoples Gas.

A NOTICE was received from Gateway Engineers that they are applying for Veselich Property gas line replacement on Bullcreek Rd. for Peoples Gas. Manager Rosenbauer has asked for a meeting with the gas company and the contractor regarding the line location.

A NOTICE was received from Penn United Technologies that they are applying to DEP for renewal of Site Only Operating Permit No 10-00333 for its facility at 799 N. Pike Rd., Cabot.

An email was received from Michelle Lesniak, So. Butler Community Library Director, reporting on their Oct. board meeting and the Booktoberfest held last month and the Diabetes Lifestyle event. A thank-you letter was received for the Booktoberfest 'basket donation' from the Township and put together by Lois Rankin.

Manager Rosenbauer reported that Nick Panchik from PennDOT did an inspection of the Golden City Bridge and said the repairs look good; thanks for the quick response in completing the repairs. He also reported an email received from Sheryl Kelly from Butler Co. Environmental Specialties informing us that ESC&R is ceasing ALL operations immediately. TC Recycling is Adams Township may take recyclables.

Supervisor Rankin asked about appointing a new dog enforcement officer; still no firm decision. She mentioned the appointments needed at the reorg. meeting; the sec/treas. and manager are currently developing the 'draft agenda' for Jan. 4, 2022 and will be making phone calls to potential appointees.

## ATTENDANCE:

Wendy Leslie, Jim Rankin, Justin Thompson

## ADJOURN:

*Motion* by John Cypher to adjourn at 9:15 PM. *Seconded* by Braden Beblo. All agreed and *motion carried*.

## NEXT MEETING:

The next regular meeting will be Monday, Dec. 13, 2021 at 7 P.M. at the municipal building.