

# JEFFERSON TOWNSHIP

REGULAR MEETING  
September 12, 2016

## 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 September 12, 2016. All rose to pledge the flag.

## ROLL CALL:

Those present were John Cypher, Rodger Davis, Lois Rankin, Sec/Treas. Lois Fennell and Attorney Matt Marshall.

PUBLIC COMMENT ON THE AGENDA AS PRESENTED: None.

## ANNOUNCEMENTS:

Supervisors John Cypher and Lois Rankin attended an "MS4" training class in Cranberry Township on August 23rd with the township secretary, the Planning Commission secretary, and the road foreman. The Board met in executive session just prior to this meeting to discuss on-going legal matters.

## MINUTES:

John Cypher *moved* to approve the August 8, 2016 regular meeting minutes as written and distributed. Lois Rankin *seconded*. All agreed and *motion carried*.

## FINANCIAL:

Bills paid between the August 8th and the September 12, 2016 meetings totaled \$8,708.65. Bills presented for payment from the General Fund this evening totaled \$198,665.72, which included \$184,236.73 toward the seal coat project/invoice. Bills presented from the State Fund this evening totaled \$140,000.00 toward the seal coat project/invoice. Total of all funds after payment of the bills was \$1,337,511.13. *Motion* by John Cypher to pay the bills presented plus any regular bills that may become due before the October 10, 2016 meeting. *Seconded* by Lois Rankin. All agreed and *motion carried*.

## PUBLIC BUSINESS OR COMMENT:

Monica Rummel reported on the South Butler Community Library's upcoming events. They will have a "Harvest Ho-Down" on Sat, Oct. 8th, which is an extension of the Saxonburg Mingle event. They are offering 'virtual reality demo-days' for the community to try it out. They hope to get a grant for a system for the library and one for a 'give-away' prize. They want to get 150 people or more to attend. She reported that they sold about \$2,000 worth of 'donated' books at the Saxonburg Arts Festival. She submitted a letter to the Board stating that she is interested in serving another term as our representative to the library.

Mike Dawida, a former PA State Senator and former Allegheny County Commissioner, came representing "Scenic Pittsburgh" (a part of the Scenic America program). He urged the Supervisors to consider some regulations on 'bill boards', because without an ordinance, municipalities have no control over placement or content or type (i.e. electronic). If the Township wishes, they can provide sample ordinances, from simple to more strict, for the Board to review.

Brad Zukowski and his wife, Shauna, were present to complain about the condition of Alana Drive since the 'seal coat' application last month. Mrs. Zukowski has to use a walker and it is impossible to walk their 'loop' (Alana Dr.) because of the new surface. She was walking the 'loop' to walk for rehab. and cannot drive to another location. John Cypher responded that he appreciates their situation and personally experienced being house bound. However, the Township does not condone using the road for 'walking' or

## PUBLIC BUSINESS or COMMENT, cont.:

'playing'; if you do so, it is at your own risk. The double seal coat (used on all township roads periodically) is to seal the asphalt that keeps cracking. Paving is very costly and the 'new type' of paving only lasts a couple of years...and therefore needs to be chipped to prolong the life of the road and yes, to save money. The Board agreed to look at sweeping the road in this plan (Alana) and perhaps other plans to get as much loose gravel off as possible.

## RECREATION COMMITTEE:

Rodger Davis reported on the September 7, 2016 Recreation Committee meeting.

Baseball: Brian Patten introduced the new field maintenance commissioner, Mike Comley. Brian has stepped down from that position. Fall Ball began the weekend of Sept. 10th. Pool: The sign referring to the "Land and Water Fund" grant money used for the pool renovations is re-installed and will be posted annually. Softball: Fall Ball began the weekend of Oct. 10th. They have about 5 teams playing (8U, 10U, 15U and Varsity.) Soccer: Their fall season started the weekend of Sept. 10th and will run to early November at least. They have about 200 kids signed up (about 14 teams.) Park Projects: Rodger Davis completed the well work for the 'county grant' project. Gary Pinkerton has the new backboard, hoop and net; he will drop them off at the township so that the road crew can install them. Leo Rosenbauer reported that the tree service is scheduled for this week (weather permitting) and will 'hand carry' the limbs out, so that the Township will not need to make a temporary ramp for their crane truck. The road crew will still need to excavate the playground area to install new fall-safe material. Leo will coordinate with the foreman. Old Business: Viki Nulph had painted about 1/2 of the Rt. 356 entrance sign and had planned to complete the painting there and at the Hannahstown Rd. entrance the weekend of Oct. 10th. Misc. Business: Brian Patten had reported seeing 'donuts' (field damage) at the park and asked Rodger about reviewing the camera system recordings. Greg Bauer is planning to meet with Keith Thrower to go over how to access and view the recordings. Several people need to be at that meeting, including the road crew foreman (who also needs a key.) Action Items: Road crew to deliver tarps to cover pool on Friday Sept. 16th. A date and time need to be set for Greg Bauer, Bill Foertsch, and a couple others to meet with Keith Thrower in regards to accessing the camera system. The road crew needs to install the back-board, hoop and net (purchased under the County Grant) and also install the picnic tables. The Supervisors need to appoint Brian Patten as a new member-at-large to the Recreation Committee (he has offered to be chairman) and to accept Mike Comely as the new baseball representative to the Committee.

Roger noted that there is one more meeting this year, Oct. 5, 2016 at 8 PM.

*Motion* by Rodger Davis to appoint Brian Patten to the Recreation Committee as a 'member-at-large'. *Seconded* by John Cypher. All agreed and *motion carried*. *Motion* by Rodger Davis to accept Mike Comely as the new Baseball Representative on the Recreation Committee. *Seconded* by John Cypher. All agreed and *motion carried*.

John Cypher mentioned that the 'trail' at the park is washing out and the Township is responsible for maintaining the trail. Leo Rosenbauer said the trail was constructed the way it was as a cost saving action and does not necessarily need to be maintained as a 'natural/dirt' trail. Attorney Marshall advised to check the DCNR agreement.

## ROAD FOREMAN REPORT:

Road Foreman William Foertsch submitted a report to the Board of Supervisors. John Cypher read the report: The double seal project is complete. The Hannahstown Rd. bridge project is still slated to be done late in September or early October. The third and final mowing is in progress and the boom mower will have covered the entire township by fall. Line painting is scheduled to begin Sept. 14th, weather permitting. Anti-skid has been delivered and the storage building is full. All trucks have been inspected: the 04 Ford needed 2 front tires and the 99 International needed repairs to the gauges and speedometer. John Cypher talked to Dinnerbell Garage today and the Peterbuilt will NOT need anything for this inspection; the Peterbuilt will be traded in when the new truck is delivered. The road crew has been working on cracking

## ROAD FOREMAN REPORT:

sealing: West Jefferson Rd. is about 1/2 done and Knoch Road needs touched up as well. The road crew worked on 'park' projects: the yellow bollard was cut and removed; the road crew built a new one and reinstalled it and it can now be removed for access if needed. John Cypher said the big Y cherry tree on the outside of the fence appears to be on the Maurhoff property and the road crew should not be responsible to fall that tree. The temporary 'ramp' for the crane truck will not be needed.

The 'trac-paver' bid (via Municibid) only went to \$1,888 (the reserve was \$2,500). *Motion* by John Cypher to look into 'auctioneer on-line' advertised in township magazine. Lois Rankin *seconded* the motion noting the same reserve price. All agreed and *motion carried*.

John Cypher reported that they obtained the police report for guard rail damage to Fisher Rd. this past spring. We now have the driver information to bill the insurance company OR to add costs to the police report if insurance was not in force.

Lois Rankin suggested the road crew look at the road name signs around the township, as some appear to be faded and unreadable.

## PLANNING COMMISSION:

Leo Rosenbauer, P.C. Chairman, reported on the August 25, 2016 Planning Commission (PC) meeting. Note: *At the July P.C. meeting, the P.C. approved the change from two quads to 4 duplexes with these contingencies: 1) label set-backs, rights-of-way and correct the building numbers (#9 and #10 would be #9A, #9B, #10A, and #10B) and 2) resolve the matters of developer's agreement and bonding with the Township Attorney. At the August P.C. meeting the P.C. said Kevin Miller must revise the current Phase Plan approved in Dec. 2011 and the developer's agreement will need to match it. They voted to approve the proposed building changes and revised phase plan (to be presented to the Board of Supervisors) contingent on 1) the new phasing line being shown to concur with the new developer's agreement (approved by the Township Solicitor); 2) the revised basins being shown on the plan; 3) numbering of all buildings with their appropriate numbers in each phase; 4) a note on the plan to explain which buildings are replacing which buildings; 5) a note on the plan that this revised plan supersedes the 2011 Phase Plan; and 6) signature blocks being added to the plan for recording. Leo Rosenbauer said this evening that it appears that most of the contingencies have been met.*

Attorney Marshall noted this evening (9-12-16) that the newest revision to the plan, which shows the new Phasing line just short of the cul-de-sac, (the cul-de-sac and Building 11 are in Phase II) is okay. Having part of the road (the cul-de-sac) in Phase II is not a problem. No written verification from the engineer has been submitted, but Attorney Marshall said the Board is aware that all Phase I improvements are done and it would be at their discretion whether to require such letter. He further stated that he has some minor comments on the proposed developer's agreement amending the 2011 Phasing Plan, so he advised that the Board 'could' approve the plan subject to the Township Attorney's review and approval of the developer's agreement.

*Motion* by Rodger Davis to approve the Lezzer/Miller-Stoneybrook Building and Phasing Plans Revisions subject to the following conditions: 1) indicate in the title "Stoneybrook Plan" on the revised plan for recording purposes and 2) execute the 2nd Amended Developer's Agreement subject to Attorney Marshall's approval. *Seconded* by Lois Rankin. All agreed and *motion carried*.

Leo Rosenbauer noted that the P.C. discussed the 'activity' on the Godfrey property and voiced his concern that the long driveway at 164 Caldwell Dr. should have had some storm water review. The township secretary noted that Mr. Godfrey has submitted a building permit application to 'finish' the house (on existing basement) on the new lot purchased on Dusty Lane (which abuts his lot on Caldwell Dr.), so Dave Vaughan (Township Codes & Bldg. Permit Officer) and Ron Young (Codes.sys) are now reviewing it.

Evie Gross noted that the P.C. discussed the MS4 class attended on Aug. 23rd. She said it is a 'bear' for a small community like Jefferson Township and urged the Board to look into the possibility of a waiver.

## UNFINISHED BUSINESS:

Lois Fennell reminded the Board to continue to look at the Floodplain Ordinance Revisions and make decisions (several areas have options to approve, including but not limited to: designate 'who' to administer the floodplain regulations). We have 180 days after FEMA issues the letter of final determination to advertise and pass the ordinance. It was expected this month, but so far, nothing.

John Cypher stated that we have only one year now to address the MS4 designation. The more he learns about this, the more he realizes the astronomical challenge (and costs) of permitting and maintaining the 'Small Municipal Separate Storm Sewer System (MS4). After some discussion, John Cypher *moved* to have Attorney Marshall have his associate, Bill Bish, proceed with a feasibility/estimate to try and obtain a 'waiver'. *Seconded* by Lois Rankin. All agreed and *motion carried*. It was suggested that perhaps the Board will authorize Attorney Bish to work with Martone Engineers (as they are both familiar with MS4 waiver process.) Attorney Marshall with discuss this with Attorney Bish.

*Motion* by John Cypher to execute the Cooperation Agreement and sign the 2016 CDBG application. *Seconded* by Lois Rankin. All agreed and *motion carried*. (The CDBG Resolutions were adopted last month: #387, #388, and #389.) The second public hearing on the 2016 CDBG Funding was held on Fri., Sept. 2, 2016 at 2 PM in the Butler County Planning Conference Room.

## NEW BUSINESS:

*Motion* by John Cypher to ratify the signing of the Utility Relocation Clearance Report requested by Buffalo Township (after our August meeting). Their engineer completed the report and determined that our Township is NOT involved with any of the excavation work planned within the project area (repaving of the trail.) The Supervisors had been contacted individually by the secretary to get authorization to sign off prior to our meeting...due to time constraints for the funding of the project. *Seconded* by Lois Rankin. All agreed and *motion carried*.

*Motion* by John Cypher to accept the 2017 Minimum Municipal Obligation report (MMO) for Jefferson Township and authorize the amount of \$13,812 for the 2017 Jefferson Township Pension to be included in the 2017 budget. *Seconded* by Lois Rankin. All agreed and *motion carried*. The secretary can sign it and send it back to Thomas J. Anderson and Associates.

There was no interest indicated in authorizing anyone to attend the "Hunter Idealease Safety Seminar" on Oct. 5, 2016.

*Motion* by John Cypher to allow the road crew, Supervisors, and township secretary to attend the 'luncheon' at Murphy's Tractor Sales "Open House" on Fri., Sept. 16th. Lunch is 11 AM to 1 PM .. no cost. *Seconded* by Rodger Davis. All agreed and *motion carried*.

*Motion* by John Cypher to the allow road crew, the secretary and Supervisors to attend the Butler County Safety Seminar on Wed., Oct. 12, 2016 at Tanglewood/Coleman Hall and pay the \$10 registration fee. *Seconded* by Rodger Davis. All agreed and *motion carried*.

*Motion* by Lois Rankin to authorize township officials (Supervisors, Secretary, Auditors and Tax Collector) and Planning Commission members to attend the Butler Co. Association of Township Officials' Fall Convention on Tues., Oct. 25, 2016 - 6 PM at Slippery Rock Township building and pay the registration (\$20 person) and mileage. *Seconded* by John Cypher. All agreed and *motion carried*.

## MISC. BUSINESS:

- Received NOTICE from Range Resources regarding well plat location of the John Allen 10202 Wells 9H and 10H in Clinton Township off Westminster Rd.
- Received NOTICE from Beran Environmental Services at PennEnergy LLC is applying to re-permit the W14-1H wellhead in Clearfield Twp. off Mushroom Farm Rd.
- Received NOTICE from HRG, Inc. that PennEnergy LLC is applying for Permit Applications to Drill and Operate Unconventional Gas Wells in Clinton & Jefferson Townships - 300 Victory Rd.
- Received NOTICE from Civil & Environmental Consultants, Inc. that PennEnergy Resources LLC is applying for renewal to 'drill and operate an unconventional gas well' in Clinton Twp. - W74 Well Pad at 175 Lardintown Rd.
- Received NOTICE from Gannett Fleming that XTO Energy proposed to construct an above ground temporary water pipeline in Butler, Jefferson & Penn Townships .. between the Hinch Smith impoundment site and the Bachelder well pad site.

*Motion* by Lois Rankin to authorize Lois Fennell to attend the Clarion County Association of Township Officials Convention as a representative from Jefferson Township and the Butler County Association of Township Officials on Sept. 15, 2016. *Seconded* by John Cypher. All agreed and *motion carried*.

*Motion* by Lois Rankin to set "Trick or Treat" for Halloween night, Monday, Oct. 31st from 5 to 7 PM. *Seconded* by John Cypher. All agreed and *motion carried*.

*Rodger Davis turned in his resignation this evening*, stating it is effective tomorrow, Sept. 13, 2016. Both Lois Rankin and John Cypher said they did not want him to resign, stating that they have nothing but respect for him, and asked him to reconsider. He said he has been thinking about this for the last month and appreciated being asked to reconsider, but he has made up his mind and did not want to discuss particulars. Attorney Marshall said the Board may or may not vote to accept his resignation; his resignation still stands. The Board has 30 days to appoint someone to fill the vacancy, so it could be done at the regular meeting on Oct. 10th. The appointee must have lived in the Township continually for at least one year prior to the appointment and be a registered voter. If the remaining Supervisors fail to appoint someone within 30 days, the 'vacancy board' must appoint within an additional 15 days or the matter goes to the court.

## ATTENDANCE:

Sue Hartzell, Mike Dawida, Kevin Miller, Monica Rummel, Evelyn Gross, Gene & Shirley Widenhofer, Dennis Kriley, Leo Rosenbauer III, Brad & Shauna Zukowski, Bill & Mandi Foertsch, and Phil & Nicole Hendenreich.

## ADJOURN:

*Motion* by Rodger Davis to adjourn at 8:48 P.M. *Seconded* by John Cypher. All agreed and *motion carried*. The next regular meeting is scheduled for Monday, Oct. 10, 2016 at 7 P.M. at the Township Building, 157 Great Belt Rd., Butler.

*Respectfully submitted by Sec/Treas., Lois Fennell*