

# JEFFERSON TOWNSHIP

## REGULAR MEETING

July 10, 2017

### PRE-MEETING:

A Public Hearing advertised for 6:45 PM this evening was held to hear public comment on the proposed Subdivision and Land Development Ordinance Revision. Attorney Marshall summarized the revision which will give the Supervisors authority to require Subdivision and Land Development application fees, deposits, and review fees that developers will pay to reimburse the Township for professional consultants' fees for reviews, inspections, etc. There was no public comment or questions, therefore, Chairman Cypher closed the public hearing at 6:58 PM.

### 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 July 10, 2017. All rose to pledge the flag.

### ROLL CALL:

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

### ANNOUNCEMENTS:

Chairman Cypher noted that the Supervisors met in a brief executive session just prior to this meeting to discuss some personnel matters.

PUBLIC COMMENT ON THE AGENDA AS PRESENTED: None.

### MINUTES:

John Cypher *moved* to approve the June 12, 2017 regular meeting minutes as written and distributed. Braden Beblo *seconded*. All agreed and *motion carried*.

### FINANCIAL:

Bills paid between the June 12th and the July 10, 2017 meetings totaled \$3,120.77. Bills presented for payment from the General Fund this evening totaled \$23,507.21. No bills were presented from the State Fund this evening. Total of all funds after payment of the bills was \$1,717,224.25. *Motion* by John Cypher to pay the bills presented plus any regular bills that may become due before the Aug. 14, 2017 meeting. *Seconded* by Lois Rankin. All agreed and *motion carried*.

### PUBLIC BUSINESS OR COMMENT:

Pat Knable was present to ask the Board for 'Sound Horn' signs at the railroad underpass on Golden City Rd. Chairman Cypher noted that there is also a narrow underpass on West Jefferson Rd. The Supervisors will consider the matter and any merit to do so.

Terry Becker reported that she contacted Supervisor Rankin and the codes officer (Adam Hartwig) regarding Weber's 'Junkyard' burning after 6 PM and operating machinery after hours, too. Supervisor Rankin noted that Adam did investigate on Saturday, July 1st. Since he is newly appointed and this was the first 'visit' to Weber's, he gave the 'worker' (not the owner; who told him he caught the vehicle on fire 'accidentally') warning that future complaints will go directly to the magistrate. He also told them that businesses are strictly PROHIBITED from burning per DEP regulations. Supervisor Rankin believed Adam was going to send a letter to the owner.

John Cypher proposed that Lois Fennell contact the DEP to find out if any help is available from them or if anyone could visit the site with the codes officer and/or Township Supervisor. Chairman Cypher

## PUBLIC BUSINESS, cont.:

also wants to make sure the Junkyard Ordinance and the Burning Ordinance are compatible with DEP regulations.

## RECREATION COMMITTEE:

No minutes received for the rescheduled June 13th Recreation Committee meeting. Brian Patten e-mailed the minutes from the July 5, 2017 Recreation meeting and Chairman Cypher read portions of it. Baseball: Scott Kriley reported by e-mail. The drainage area between the T-Ball and the Farm Fields is being reviewed by the road crew and Roger Cypher to determine what can be done about storm water erosion at the sidewalk area along the 3rd base line of Field #6. They are still pursuing the lighting of at least one field for night games...no update at this time. One of the dumpsters can be removed at the end of July.

Pool: **Greg Bauer reported that August 12th will be SEBCO Pool's 50th Anniversary Celebration.** They are asking for anyone with older/historical photos or other information about SEBCO to please share them...by contacting Greg Bauer at [greobau@aol.com](mailto:greobau@aol.com) They thanked the Township and road crew for removal of the trees around the pool and for the stump grinding and clean-up. John Cypher agreed that it is a nice improvement to the pool area.

Softball: Jim Jones - absent 7/5/17 - no report.

Soccer: Shane Huffman - absent 7/5/17 - no report.

New Business: They discussed 'automatic park gates' again, but agreed that more information is needed. Brian Patten had obtained a quote for 1 bleacher via National Recreation Systems, Inc. for \$3,699 and reported this in their May 2017 minutes. Roger Cypher said he believes Brian is still waiting to hear from Gary Pinkerton to check on a better price!

Old Business: Viki Nulph has completed the painting of the park entrance signs. Her family also placed mulch and planted flowers around the signs. The Security Cameras appear to be working fine, but they decided to contact Thrower Communications to verify that all are working properly. They asked if 'video surveillance' signage is needed.

Park Projects: Review drainage/erosion at Field #6 and Thrower Field reported by Baseball. Roger Cypher advised that staining of the gazebo and installation of the picnic tables is planned ...hopefully to be completed by August 12th.

Misc. Business/Projects: Roger Cypher was appointed by the Supervisors on June 12, 2017 to the fill the member-at-large vacancy on the Recreation Committee. Rod Miller offered his help with park projects.

Action Items: A light switch needs to be installed 'outside' of the electrical panel in the Ladies' Pavilion. The drainage solution (sidewalk area adjacent to Field #6) needs to be reviewed with the Baseball Association. Advise if 'video surveillance' signs are required to be posted. *Motion* by Lois Rankin to proceed to purchase and post a sign at each park entrance. *Seconded* by John Cypher. All agreed and *motion carried*. Ask if the Township can place a notice on the website regarding the SEBCO 50th Anniversary Celebration.

## ROAD FOREMAN REPORT:

Chairman Cypher read the report submitted by the road foreman, Bill Foertsch. The road crew has 95% completed the road preparations for the 2017 paving and chip seal projects. The paving project will start this week and will take approx. 2 weeks, weather permitting. The chip seal project is scheduled for the week of August 7th. Russell Standard is to meet with the road foreman to discuss the plan of action for repairs to the 2016 chip sealed roads.

The Hannahstown Road bridge project is underway. It will be an aluminum arch similar to the one removed, and is expected to be shipped close to the end of July. After compaction of back fill, the county crew plans to apply asphalt (8 inches thick above the compacted stone base.) If all goes as planned, the project should be completed by the beginning of September. It was noted that the Beth's Barricades were removed.

## ROAD FOREMAN REPORT:

The road foreman has requested that the Board consider replacing the 96 International Truck (budget for 2018 equipment purchase). It takes 6 to 8 months to build a truck after the Township votes to proceed with order and he suggests ordering by Oct. or Nov. of 2017. After some discussion regarding the repairs that have been done and the age of the truck, John Cypher *moved* to authorize the foreman to begin getting prices to present to the Board. *Seconded* by Braden Beblo. All agreed and *motion carried*.

The road foreman plans on ordering 400 ton of salt by the end of July 2017 under current contract (\$55.94 ton.) This way we will only need 200-300 ton for the remaining 2017/2018 season. *Motion* by John Cypher to proceed. *Seconded* by Braden Beblo. All agreed and *motion carried*.

The second berm mowing is planned to start on Thurs., July 13th. Saxonburg area will be done first due to the start of the carnival.

John Cypher reported that the Township received \$430.50 from Progressive Insurance for a 'sign and post' damage from a 2/27/17 accident at Rt. 356 and Great Belt Rd. There is another damage claim for \$232.85 for different accident at Mushrush and Saxonburg Rd. on 2/27/17. The driver had no insurance and did not own the vehicle he was driving. There has been no response to the certified letter/invoice sent...receipt dated 6/9/17. John Cypher *moved* to file a trespass complaint at the District Judge's office. *Seconded* by Braden Beblo. All agreed and *motion carried*.

## PLANNING COMMISSION:

The Planning Commission did not have a quorum for the June 22nd meeting, but offered notes on their discussion. Leo Rosenbauer reported that the four P.C. members present talked to three Sisters present regarding the fire at the monastery (last week.) Lighting hit the exhaust on the new HVAC system. There were 25 fire trucks responding from several fire companies. They have 5 sisters staying at the art studio temporarily. The other 14 are dispersed to church families. The insurance company is sending out 'national adjusters'. Two matters were discussed: They want to proceed to install a basement and modular home of the adjacent parcel. This parcel at the top of the hill near the road side is currently vacant, but will be divided off 'later'. A pit and perc has been done and they are in the process of identifying a system designer and getting a permit from SEO. A building permit application was given to Sister Christina and was advised to contact Dave McGuigan about the requirements for the modular. The P.C. members present do NOT consider this (modular) to need a land development; it is a dwelling. (*The 'remediation/renovation' of the fire site will not need a land development either...but a building permit with architectural drawings will be needed (per Dave McGuigan.)*)

On the main property, their living quarters are uninhabitable. They may be able to use a small building behind the monastery, but they need someone to test the propane line to and inside it. It was also suggested they talk to their plumber for a recommendation if he is not comfortable with doing this test. They will likely need a new well there. They were given Rodger Davis's contact info. and Leo was to provide name of a plumber who knows about gas lines.

The P.C. members present talked about the Goodlin matter (it was reported that Mr. Goodlin did contact both Dave McGuigan and Doug Duncan last week.). They also talked about the Rustique Roost matter, which was turned over to the Township Attorney by the Supervisors (at the June 12th meeting). There have been no calls/no submissions from the property owners since the 5/17/17 Supervisors' letter. John Cypher asked where we go from here. Attorney Marshall recommends a notice of violation/cease & desist letter be sent. John Cypher *moved* to authorize the attorney to prepare the letter and send it on behalf of the Township. *Seconded* by Braden Beblo. All agreed and *motion carried*. The Supervisors have authorized Attorney Marshall to move forward as necessary.

The P.C. members then discussed proposed revisions to the 'burning' and the 'solid waste' ordinances. They agreed that our current Burning Ordinance should be 'kept', but revised by taking out references to 'commercial establishments' in the Definitions Sec. 101 and to the 'operator of a business' in section 102B. They also agreed that our current Solid Waste Ordinance should be 'kept' with revisions on page 140.1 to

## PLANNING COMMISSION, cont.:

remove language in Section 106.1 "...provided by the Township or cut, baled, bundled, tied, stacked or packaged in compliance with the guidelines" and remove A and B; and add language in 106.2 "....shall be placed in suitable containers, provided by the owner, landlord or agent, *or the trash hauler* for storing and collection of recyclable materials (and clearly marked "Recyclables"). They would also like to add the 'Dumping' section (but remove the word 'store' from Section 1) from the state model ordinance in the Solid Waste Ordinance and agreed that the attorney could recommend 'where' it needs to be inserted.

Generally, the P.C. members did not like the other samples gathered from various townships...they were too detailed and did not like the State sample ordinance except the section on 'dumping.' They did not discuss the Park Rules and Regs. distributed to them this evening.

## UNFINISHED BUSINESS:

The public hearing on the Subdivision & Land Development Ordinance Revision (#394) was held at 6:55 PM prior to the start of this regular meeting. John Cypher *moved* to adopt Ordinance #394 as presented. *Seconded* by Braden Beblo. All agreed and *motion carried*. John Cypher *moved* to adopt Resolution #395 the Schedule for Consultant and Review Fees as presented. *Seconded* by Lois Rankin. All agreed and *motion carried*. John Cypher *moved* to adopt Resolution #396 the general Fee Resolution for Jefferson Township (references Res. #395). *Seconded* by Braden Beblo. All agreed and *motion carried*.

The park gas lease was momentarily approved by DCNR/National Park Services on 6/22/17 via e-mail from Mr. Tatanish; but then Mr. Tatanish was advised by NPS 6/23/17 to place a hold on executing the oil and gas lease/amendment until further notice. Mr. Tatanish wrote that 'apparently the Washington NPS office has some concerns that need to be addressed and he was advised by NPS that this is of high priority and will be discussed with DCNR.' The proposed resolution that NPS is 'preparing' did not arrive for the Board to adopt it at this meeting. After some discussion with the Township Attorney in regards to having to wait another month (or more) or having a special meeting, it was decided to approve the Resolution 'conditionally'. John Cypher *moved* to authorize execution of the proposed Resolution (to be provided by DCNR) and the Park Gas Lease Amendment (provided by PennEnergy Resources) subject to review and approval by the Township Attorney, Matt Marshall. Lois Rankin *seconded*. All agreed and *motion carried*.

Rob Arnold contacted Lois Fennell this morning to say that HRG, Inc. is almost done with the MS4 Waiver Application/Notice of Intent, and the final paperwork will be forward to DEP in about a week. He said DEP has been receptive (been working with them regarding mini-MS4 application (cost \$1500 to \$2000) verses a General Permit (cost about \$500). However, it may be awhile before DEP makes a decision.

## NEW BUSINESS:

Quotes for workmen's compensation insurance (for 8/1/17 to 7/31/18) were received for a decision this evening. C.W. Howard Ins. Agency submitted 3 quotes: Selective \$11,256; Rockwood Casualty \$14,645; and AmeriHealth (now AmTrust) \$15,300. Matson Ins. Agency submitted 1 quote: Eastern Alliance Ins. Co. for \$12,534. *Motion* by John Cypher to accept the quote obtained from by C.W. Howard Ins. Agency obtained from Selective Ins. for \$11,256. Braden Beblo *seconded*. Agreed and *motion carried*.

The Supervisors discussed the matter of fuel bids. Last year we did not bid and we were able to keep the cost under the \$10,700 threshold (over that would require 3 quotes, until reaching the next threshold of \$19,700 which would require bidding.) The weather was milder this past winter and fuel prices stayed low, but that will likely NOT happen this coming winter. Quoting fuel is a difficult matter, therefore John Cypher *moved* to authorize advertisement for fuel bids (up to 8,000 gal. of #2 diesel and up to 600 gal. of unleaded-NO ethanol gasoline) *Seconded* by Braden Beblo. All agreed and *motion carried*.

An e-mail was received from Wendy Leslie inviting the Supervisors to attend a meeting with Mike Kelly's Legislative Correspondent, James Marsh, on Aug. 18th at 10:30 AM. This is regarding the possible elimination of the CDBG program from the 2018 federal budget. Lois Rankin is unable to go; John Cypher cannot commit at this time.

## NEW BUSINESS, cont.:

After some discussion, John Cypher *moved* to approve new office hours, Monday through Thursday from 7:30 AM to 4:30 PM. Office will be closed on Fridays. *Seconded* by Lois Rankin. All agreed and *motion carried*. Therefore, John Cypher *moved* to approve a change to Lois Fennell's hours, which will be 7:30 AM to 4:30 PM from Monday through Thursday, with Fridays off. *Seconded* by Lois Rankin. All agreed and *motion carried*.

It was noted that the Act 13 Impact Fee allocation was received on July 7th. It is \$98,283.11 representing 2015 reported in 2016 and distributed in 2017.

## MISC. BUSINESS:

- Received NOTICE from HRG, Inc. that PennEnergy is applying to DEP for permits to Drill & Operate Unconventional Gas Wells on 623 Bicker Rd., Winfield Township (PER W45 1H, 2H, 3H, 4H, 5H, 6H, 7H, and 8H)
- Received NOTICE from HRG, Inc. that PennEnergy is applying for a GP-5 Utility Line Stream Crossing (temporary water line) in Jefferson and Winfield Townships (located around Saxony Farm's lake).
- Received NOTICE from Tri-County Engineering that Mountain Gathering LLC is submitting a "notice of termination" to DEP for the general 'national pollutant discharge elimination system permit for stormwater discharges for the Compressor Station on Saxonburg Rd.
- Received NOTICE from HRG, Inc. that PennEnergy is applying to DEP for Permit Applications to Drill and Operate Unconventional Gas Wells in Winfield Township - W60 - wells 1H to 9H on Cornplanter Rd.

*Motion* by Lois Rankin to authorize Lois Fennell to execute the "Release from Inspection Agreement for a Free Access Sand Filter System" requested by James P. Jones and Theresa McKruit, 891 Saxonburg Rd., Butler, PA 16002. They have replaced that system with an EcoFlow, which does not require such agreement/recording. *Seconded* by John Cypher. All agreed and *motion carried*.

John Cypher noted an e-mail received from Jon Hood, stating that XTO Energy has agreed to pay 25% of the chip seal of Bullcreek Rd. and Frazier Rd. (total \$21,673.75).

Lois Rankin noted that the new codes officer, Adam Hartwig, seems to be working out well. He mentioned to Lois Fennell earlier that day that a property owner on Reay Lane asked him about subdividing his property. They discussed that the Township does not allow more than 3 lots on a private lane (Chap. 22, Section 9, 14A).

## ATTENDANCE:

Sue Hartzell, Gene & Shirley Widenhofer, Terry Becker, Pat Knable, Roger Cypher, Leo Rosenbauer, Dennis Kriley, and Jim Rankin.

## ADJOURN:

*Motion* by John Cypher to adjourn at 8:35 P.M. Braden Beblo *seconded* the motion. All agreed and *motion carried*. The next regular meeting at 7 PM on Monday, August 14, 2017 at the Township Building, 157 Great Belt Rd., Butler.

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