

JEFFERSON TOWNSHIP

REGULAR MEETING

Sept. 11, 2017

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 Sept. 11, 2017. All rose to pledge the flag. Chairman Cypher expressed that our thoughts and prayers are with the victims of Hurricanes Harvey and Irma.

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 three Supervisors and the Planning Commission Secretary attended a meeting sponsored by HRG, Inc. on August 31st. The Supervisors met in a brief executive session just prior to this evening's meeting to discuss ongoing legal issues.

PUBLIC COMMENT ON THE AGENDA AS PRESENTED: None.

MINUTES:

John Cypher *moved* to approve the Aug. 14, 2017 regular meeting minutes as written and distributed. Lois Rankin *seconded*. All agreed and *motion carried*.

FINANCIAL:

Bills paid between the Aug. 14th and the September 11, 2017 meetings totaled \$8,749.78. Bills presented for payment from the General Fund this evening totaled \$253,646.03. No bills were presented from the State Fund this evening. Total of all funds after payment of the bills was \$1,005,104.92. *Motion* by John Cypher to pay the bills presented plus any regular bills that may become due before the Oct. 9, 2017 meeting. *Seconded* by Braden Beblo. All agreed and *motion carried*.

PUBLIC BUSINESS OR COMMENT:

No one submitted 'public comment' forms or spoke up when called for early in the meeting. However, Mr. Murin (he introduced himself as Ziggy) and Mr. Giza spoke up later in the meeting. Mr. Giza and Mr. Murin from Reay Lane complained about a neighbor burning and more recently has burned vehicles. He said the State Police won't do anything and referred him to the Township. The codes officer won't do anything and referred him to DEP. He said DEP is making this a top priority to investigate. The Supervisors said that since this is probably 'commercial' burning, it is prohibited by the State and so, contacting DEP was the best action for him to take and they hope DEP is able to help. Mr. Murin said he is upset because he was told he cannot subdivide his 6.5(+/-) acres on Reay Lane. The Board, P.C. Chair., and Attorney tried to explain that current ordinances allow only three lots on a private lane. Also, no 'additional' dwellings on lots with existing dwelling(s.) If the property owner can bring the right-of-way up to current township specifications (including drainage, base, and paving) (the property owner assuming all costs) then adoption by the Township may be possible and then further subdivisions could be allowed.

RECREATION COMMITTEE: No report received.

Roger Cypher said they basically discussed ongoing matters. No progress/nothing new on bleacher quote from County.

ROAD FOREMAN REPORT:

Chairman Cypher read the report submitted by the road foreman, Bill Foertsch. The double seal-coat project was completed on Sept. 1st. All chip sealed roads should be vacuum swept within 5 working days. Total cost due to Russell Standard Corp. is \$224,256.60. XTO Energy will be sending their contribution to the double seal-coat project (\$21,673.75) later this month. All the road shoulders on the newly paved roads have been backed up with millings and 'shot' with oil on Friday Sept. 1st. Cost for the MC-70 was \$13,366.00 to Russell Standard (they did not charge the Township for Fisher Rd. oil in exchange for the road crew pushing stone up for them...a savings of \$1,793.)

400 ton of millings have been ordered from Wiest and will be delivered on a rainy day. Approx. 250 ton of anti-skid has been delivered from McClymonds. Line and legend painting is to be done by the end of September. The road crew is in the process of the 3rd mowing of berms.

The Hannahstown Road culvert-bridge parts should have been delivered by 9/8/17 and repairs were to be begin this week. The Butler County Bridge Dept. hopes to be ready for asphalt by Sept. 2th.

The road crew installed the needed light switch in the Ladies' Pavilion, due to Mr. Grabe still not being available to do the job. The tree that fell at the ball field was already taken care of by someone else.

The leaf vac was purchased and picked up from Ron Kozik. He installed a new battery and agreed to our offer of \$2,800.00. The signs to be placed at the park were left out for the Board to see before installing.

John Cypher reported that notice was received from the Saxonburg District Court regarding the suit filed for the sign damage at intersection of Mushrush Rd. and Saxonburg Rd. The township won the suit by default because the driver did not show up. After 30 days the Township can execute the lien (and notify PennDOT.)

There is no set date for the cleaning and video inspection of the culvert pipe on Great Belt Rd.

Repairs to the 2016 chip sealed roads will take place in the summer of 2018. Russell Standard has agreed, in writing, to do the 'grip tight fog seal' for the following roads: Alana Dr., Audrey Lane, Janice Lane, Brian Dr., Whitaker Dr., Charlemagne Dr., Mushrush Rd., Marwood Rd., Golden City Rd., and Tower Rd. The work will be done by July 31, 2018 at no cost to the Township. Attorney Marshall suggested asking for a bond extension for these belated repairs.

The Supervisors did not approve attendance to two upcoming LTAP classes. They did however want the road crew to attend the Oct. 11, 2017 Safety Seminar.

PLANNING COMMISSION:

Leo Rosenbauer, Chairman of the Planning Commission reported on their August 24, 2017 meeting. The P.C. reviewed the Plan of Subdivision for Raymond B. and Nancy A. Sawyer on Great Belt Rd. Lot 1 is 3.60 acres. It is a triangle with no frontage, but with access to a 50 ft. right-of-way at the existing farm's access lane. The now 61.955 acre farm will also use the 50 ft. right-of-way. The P.C. approved the plan subject to review of the 'driveway maintenance language' by the township attorney. Attorney Marshall said he has reviewed the language on the plan as well as the maintenance agreement document to be recorded. . *Motion* by Lois Rankin to approve the Raymond B. & Nancy A. Sawyer Subdivision (subject to final DEP approval.) *Secinded* by Braden Beblo. All agreed and *motion carried*. *Motion* by John Cypher to approve the "Resolution (#401) for Plan Revision for New Land Development" for the Sawyer Subdivision. *Secinded* by Lois Rankin. All agreed and *motion carried*. The DEP Component 2 Module (including a copy of Resolution #401) will be sent to DEP tomorrow for their review and approval.

The P.C. talked at length with the Nowicki Family about possible subdivisions on the properties on Fisher Rd., Nowicki Lane, and Hannahstown Rd. There are already 4 lots with access use of Nowicki Lane. In planning the estate, they wish to divide off the farm house (with about 3 acres) from Tax Parcel 1F155-39 (Nowicki Lane); additionally they wish to divide off the farm house (with about 3 acres) from Tax Parcel 1F155-35 (Fisher Rd.) and finally to divide off the farm house (with acreage) from Tax Parcel 1F155-43 (Hannahstown Rd.) Leo Rosenbauer noted that suggestions were made at the P.C. but no decisions. Surveyor, Stan Graff, is still trying to work out the matter to best be in compliance with the township regs.

Mr. and Mrs. Simms attended the meeting to talk to the P.C. preliminarily regarding a proposed land development. They submitted a building permit application and drawings. They said the construction

PLANNING COMMISSION, cont.:

drawings were submitted to Code.sys Code Consulting. They were told that a building permit cannot be issued until the land development has gone through the approval process. The land development (with a signed application and appropriate drawings) must be submitted (15 days prior to the planning commission meeting.) In order for the Planning Commission to review a land development (or subdivision) on Sept. 28th, it would have to be submitted by Wed., Sept. 13th. It was noted that they purchased a septic application and that the SEO and a DEP representative are scheduled to meet at the property on Sept. 12th. Leo asked Attorney Marshall 'who' can seal the land development drawings; he responded that generally any of the three (surveyor, engineer or architect) unless the ordinance states 'as otherwise specified.' John Cypher noted this evening that Mr. and Mrs. Simms' attorney sent a letter to the Township (copy went to Attorney Marshall) basically requesting an extension of time to comply to the 'cease and desist' letter which states they must comply by August 28th. Attorney Marshall recommended giving ample opportunity for the Simms to submit a land development. Additionally, Attorney Marshall said as long as they are moving towards the goal of 'compliance', then allowing them to remain open for the time being is permissible. Then, if they fail to comply by the extended date, the Judge will be more likely to grant an injunction if sought by the Township. Further discussion about costs and the Simms lack of action over the last 3 months continued and Attorney Marshall said we could authorize an extension provided the Township is re-imbursed for 'costs incurred' to date due to attempts to get them to comply. *Motion* by John Cypher to extend deadline for submission of the completed land development application (with applicable sealed drawings) to on or before Oct. 11, 2017. Braden Beblo *seconded* the motion. All agreed and *motion carried*.

UNFINISHED BUSINESS:

At their meeting on March 13, 2017, the Supervisors acknowledged receipt of two requests to be added to the Jefferson Township Agricultural Security Area. According to our 'procedure' the applications from Dave & Dane Fine and Raymond Sawyer were held 180 days, until deemed approved, and now it is time to adopt Resolution #402 adding the parcels to the ASA and have them recorded. *Motion* by John Cypher to adopt Resolution #402. *Seconded* by Braden Beblo. All agreed and *motion carried*.

John Cypher reported that the MS4 Waiver Application is ready to sent to DEP by HRG, Inc. Mr. Arnold tried to get DEP to agree to the lesser application fee (\$500) but they refused and so a check for \$5,000 made out to the Commonwealth of PA will be included per DEP. Mr. Arnold will have someone from HRG, Inc. pick up the signed pages and the check tomorrow.

In regards to the revisions to the Solid Waste Ordinance and the Burning Ordinance, Attorney Marshall will work on them, more urgently, the Burning Ordinance and will forward suggested revisions for final review.

NEW BUSINESS:

The Butler County Safety Seminar is scheduled for Wed., Oct. 11, 2017. *Motion* by John Cypher to authorize the township Supervisors, Road Crew and Sec/Treas. to attend and pay the registration. *Seconded* by Lois Rankin. All agreed and *motion carried*.

Act 21 of 2017 changes the regulations for sale of surplus property. We need to review the act before preparing a new resolution to set procedure for selling personal property valued at under \$2,000.00.

An invitation was received from Butler County Planning to participate in the Public Outreach Community Meeting on Oct. 3, 2017 at Middlesex Township Municipal Building - 6:30 PM. Topics include: Infrastructure Bank, 2017 Comprehensive Plan Update, State & Federal Programs/funding opportunities, Project Delivery +Bridges, Assessment/Tax Claim/Mapping, Review Mobility Study, and Round Table Discussion. It is free for anyone to go - RSVP requested.

MISC. BUSINESS:

- Received NOTICE from XTO Energy that they are applying for well permits for proposed Christensen B Unit 6H well and 7H well on Saxonburg Rd. in Jefferson Township.
- Received NOTICE from Rex Energy that application to DEP is being made to drill or alter Hofer Unit's 2H, 4H, 6H and 8H natural gas wells (Penn Township - Anderson Rd./E.Cruikshank Rd. area).

Lois Rankin mentioned the invitation the Board received to attend the Butler County Federated Library System "Open House" at BC3 on Sept. 20th from 6 to 8 PM. She and Braden Beblo may RSVP to attend.

ATTENDANCE:

Cheryl Hughes, Sue Hartzell, Dennis Kriley, Roger Cypher, Jim Rankin, Leo Rosenbauer, Mr. Murin and Mr. Giza.

ADJOURN:

Motion by Lois Rankin to adjourn at 8:30 P.M. Braden Beblo *seconded* the motion. All agreed and *motion carried*. The next regular meeting at 7 PM on Monday, Oct. 9, 2017 at the Township Building, 157 Great Belt Rd., Butler.

Respectfully submitted by Sec/Treas., Lois Fennell