

NOTICE: There were 2 meetings in April. Special Meeting 4/9/09 and Regular Meeting 4/13/09.

SPECIAL MEETING
April 9, 2009

CALL TO ORDER:

This special meeting of the Jefferson Township Board of Supervisors was called to order by the chairman, James R. Jones, at about 7:02 P.M. on Thursday, April 9, 2009. All rose to pledge the flag.

ROLL CALL:

Those present were James R. Jones, James P. Chick, Phillip L. Bachman, and Lois J. Fennell, Sec/Treas.

MINUTE\$S:

Motion by James R. Jones to approve the March 9, 2009 minutes as written and distributed . Seconded by Phil Bachman. All agreed and motion carried.

BUSINESS:

The secretary reviewed the fuel bids opened, but tabled, at the March 9, 2009 meeting.

Purvis Brothers

Approx. 10,000 gal. on-road diesel (clear)	<u>OPIS + .10 cents</u>	– Unit Price	\$1.4406 (\$14,406.00)
Approx. 1,000 gal. unleaded gasoline	”	--Unit Price	\$1.3636 (\$1,363.60)

Glassmere Fuel

Approx. 10,000 gal. on-road diesel (clear)	<u>OPIS + constant margin</u>	- Unit Price	$\$1.3267 + .1994$	
		= Unit Price	\$1.526	(\$15,261.00)
Approx. 1,000 gal. unleaded gasoline	“	- Unit Price	$\$1.3828 + .2994$	
		= Unit Price	\$1.682	(\$1,682.20)

James R. Jones *moved* to award the fuel bid to the apparent low bidder, Purvis Brothers, Inc. Seconded by Phil Bachman. All agreed and motion *carried*.

Chairman Jones explained that Mr. Richard Craft from Olsen & Associates will give a brief presentation before discussion on the Summit Township proposal to run a sewer line through Jefferson Township. He asked that each person that speaks try to keep their time short, in order to allow time for all those who wish to speak.

Mr. Craft explained the three original options that Summit Township had: 1) Butler Area Sewer Authority; 2) new plant in Herman; and 3) Saxonburg Area Authority; plus a suggested ‘fourth’ option via Buffalo Township Authority. The only two viable options now are #2 and #3. He presented a list of ‘pros’. The floor was then opened for questions and comments.

Several residents/property owners spoke: Alan Carr, Bruce Walker, Barron Bianco, Albert Foertsch, Stan Mills, Roger Davis, Dave Mc Masters, Kristin Mowery, Joe Kozora, Sam Slee, Jeanne McLaughlin, Roy Montag, Paul Foertsch, Steve Hassel, Lori Dunlap, John Foertsch, Barb McMasters, Wally Cypher and a few others whose last names were not heard (Mark from Caldwell Dr., Dennis from Becker Rd., and Chris from O’Hara Rd.) and one or two who spoke without giving their names.

The discussion is summarized below:

What is the diameter of the line? Probably 10 or 12 inch.

Where will the new line meet the existing line? Near where the old plant was located on Dinnerbell Rd.

Why is Summit Twp. not going to Butler? Because BASA is under a DEP consent order and probably will not be able to take any more sewage (and don’t seem interested anyway) and Summit will have to pay costs to improve pump stations.

Do they really need a 20 ft. right-of-way (r.o.w.)? Yes, the permanent r.o.w. needs to be 20 ft., but up front, there is actually a 40 ft. r.o.w. (during construction.) **(This is a ‘new’ issue! Both property owners and township officials do not recall the temporary 40 ft. r.o.w. being reported prior to this evening!!)**

If the line is 'gravity flow', will there be any pump stations? Herman will have pump station(s), but there will be none in Jefferson Township for this line. The line will be planned and constructed large enough to cover the entire water shed.

How far from the creek will the line be constructed? It will vary—and it has not been entirely 'planned' because Summit Twp. can't spend funds for something that may not happen (if Jefferson disapproves the proposal.)

Why don't we have a 'whole' township plan? The Thorn Creek watershed covers about 75% or more of Jefferson Township – so this proposed line could potentially service the whole watershed.

A Penn Township situation was reported about the way a contractor 'did not' remove tree stumps and as a result a property owner was injured and is still not back to work. Plus, numerous water wells were affected. Properties were left 'a mess.'

Several properties on Whitaker Rd. already have a sewer line in their front yards, *why can't they new line be hooked into that existing line, rather than dig up their back yards too?* Mr. Craft indicated that it has something to do with the 'elevations' and that they will look more closely at this situation if Jefferson approves the proposal and planning continues.

What is the average cost over the tap-in fees? Depending on the distance, the main line 'construction' can run between \$1,500 and \$4,000. Ms. Mowry noted that they paid about \$15,000 (in Penn Township.)

How many homes in Jefferson Township are on the Saxonburg Authority currently? Roughly 300 customers. Mr. Kozora said he has not seen any cost reduction with the new plant in Renfrew, in fact, they saw an increase.

Mr. Slee commented that this appears to be a lot of sacrifice from Jefferson Township people in order to benefit Summit Township.

Will they cut all the trees in the 40 ft. temp. r.o.w.? Mr. Cornetti said yes, if the line goes through where the trees are.

What happens to structures, wells, etc? They will design around when and where necessary. Some smaller out buildings may be relocated. Mr. Cornetti, no one 'lost' their wells in the new plant project just completed, but agreed some may have been affected short-term.

What about the final grading? It will be according to the specs of the contract. Therefore, Jefferson Township officials will have no say.

What rights do they have regarding 'condemnation' of the right-of-way? A property owner can reject the \$1 offer for the r.o.w. Then, the 'estimated just compensation' will be calculated and offered for the value of land taken. If that offer is unacceptable, the property owner has a right to appeal to the county board of viewers, who will then set the compensation.

What will "Summit Academy" have to pay for tap-in? Mr. Cornetti said roughly, \$300,000.

What about 'public access' to the r.o.w.? Mr. Cornetti said it is not a 'public r.o.w.' but a utility type r.o.w. and only access would be for occasional inspections and repairs.

Who votes on the proposal? The Board of Supervisors.

What about putting it on the ballot? **How and if a question could be put on the ballot** was unknown at the time. However, Chairman Jones said Summit Township/Olsen & Associates need a decision sooner rather than later in order to participate in 'stimulus' funding.

James R. Jones asked who in the room, who has the creek actually running through their property, is in favor of the line (only one person raised their hand) and of those in the whole room (only 4 raised their hands in favor of the line.)

Phil Bachman wanted to proceed with the vote this evening, but Jim Jones and Jim Chick preferred to wait until the next meeting, Monday, April 13, 2009 at 3:30 P.M.

ADJOURN:

James Jones *moved* to adjourn at approximately 8:55 P.M. Jim Chick *seconded*. All agreed and motion carried.

ATTENDANCE: see 'attendance list'

REGULAR MEETING
April 13, 2009

CALL TO ORDER:

The regular meeting of the Jefferson Township Board of Supervisors was called to order by the chairman, James R. Jones, at about 3:30 P.M. on Monday, April 13, 2009. All rose to pledge the flag.

ROLL CALL:

Those present were James R. Jones, James P. Chick, Phillip L. Bachman, and Lois J. Fennell, Sec/Treas.

PUBLIC COMMENT ON THIS AGENDA AS PRESENTED: None.

MINUTES:

James R. Jones *moved to approve the April 9, 2009 special meeting minutes* as written and distributed. *Seconded* by Phil Bachman. All agreed and *motion carried*.

FINANCIAL:

The bills paid between the March 9 and April 13, 2009 meetings totaled \$8,684.75. The bills presented for payment from the General Fund today totaled \$47,777.81. Bills presented for payment from the State Fund totaled \$885.03. The balance of all the funds after payment of the bills presented was \$411,953.90. James R. Jones *moved to pay the bills listed as well as any bills that become due prior to the next meeting*. *Seconded* by Phil Bachman. All agreed and *motion carried*.

PUBLIC BUSINESS OR COMMENT:

Mr. Stan Walchesky and Mr. Steve Shurina were present about a building permit application submitted for remodeling the old lawn and garden building. They expressed their frustration in regards to having to submit 'sealed architectural drawings' for such a small business. Mr. Walchesky said he never had any problems in the past with building permits and septic permits. Chairman Jones said that 'times have changed' and explained that the problem lies with the 'uniform construction code/regulations' and not the code enforcement agency. **Any** certified building inspector or agency **must** enforce the code as it is written. The Supervisors hands are tied and the only recourse for the property owner(s) is to 'appeal', which Mr. Shurina has done. However, it does takes time to set up an agreeable time for the three appeal board members, the attorney, the court recorder, and the building codes official to schedule the hearing; and then there is no guarantee that the appeals vote will be favorable. Chairman Jones noted that he has spoken with Representative Darryl Metcalfe regarding this seemingly harsh regulation. Mr. Metcalfe and several of his associates are working toward revision of the state-wide building code – which unfortunately could take some time!

Mr. Ron Olsen reviewed some of the 'pros' in regards to the Summit Township sewer line proposal and ended by urging the Jefferson Township Board of Supervisors to make their decision today.

Mr. John Shaffer commented on the sewer line proposal and expressed his concerns about the line ruining his property, his trees, and his privacy. He urged the Supervisors to remember every person present at the meetings regarding the line have their own story, problems, and concerns.

UNFINISHED BUSINESS:

Chairman Jones said there has been significant discussion at the last four meetings and felt it was time to vote. He *moved to NOT allow (to deny permission to) Summit Township to construct the interceptor sewer line through Jefferson Township*. *Seconded* by Jim Chick. All agreed and *motion carried*.

At the regular meeting on April 13, 2009, the five 'stone bids' received were publicly opened and read by Chairman, James R. Jones. A short recess was given so the road foreman (Supervisor Phil Bachman) and the secretary could review the bids. The meeting was resumed. They recommended awarding the bid to the apparent low bidders by line item at delivered prices contingent upon inspection of the materials by the road foreman. The bids were as follows:

M & M Lime Company, Inc.:

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|--|---------------------------------------|
| 1) Approx. 500 ton #8 Limestone (state approved) | Unit Price FOB \$14.90 / DEL. \$18.40 |
| 2) Approx. 500 ton #2A Limestone | Unit Price FOB \$13.25/ DEL. \$16.75 |
| 3) Approx. 400 ton #2RC Limestone | Unit Price FOB \$12.25/ DEL. \$15.75 |
| 4) Approx. 500 ton #67 Limestone | Unit Price FOB \$13.50/ DEL. \$17.00 |
- Items #5, #6, & #7 – NO Bid.

Allegheny Mineral Corp.:

- | | |
|--|---------------------------------------|
| 1) Approx. 500 ton #8 Limestone (state approved) | Unit Price FOB \$12.50 / DEL. \$18.10 |
| 2) Approx. 500 ton #2A Limestone | Unit Price FOB \$11.50/ DEL. \$17.10 |
| 3) Approx. 400 ton #2RC Limestone | Unit Price FOB \$11.50/ DEL. \$17.10 |
| 4) Approx. 500 ton #67 Limestone | Unit Price FOB \$11.70/ DEL. \$17.30 |
- Items #5, #6, & #7 – NO Bid.

Quality Aggregates, Inc.:

- | | |
|--|---------------------------------------|
| 1) Approx. 500 ton #8 Limestone (state approved) | Unit Price FOB \$13.25 / DEL. \$17.40 |
| 2) Approx. 500 ton #2A Limestone | Unit Price FOB \$11.35/ DEL. \$15.50 |
| 3) Approx. 400 ton #2RC Limestone | Unit Price FOB \$11.35/ DEL. \$15.50 |
| 4) Approx. 500 ton #67 Limestone | Unit Price FOB \$12.50/ DEL. \$16.65 |
- Items #5, #6, & #7 – NO Bid.

McClymonds Supply & Transit Co., Inc.:

- | | |
|--|--------------------------------------|
| 1) Approx. 500 ton #8 Limestone (state approved) | Unit Price FOB no bid / DEL. \$17.10 |
| 2) Approx. 500 ton #2A Limestone | Unit Price FOB no bid/ DEL. \$15.62 |
| 3) Approx. 400 ton #2RC Limestone | Unit Price FOB no bid/ DEL. \$15.62 |
| 4) Approx. 500 ton #67 Limestone | Unit Price FOB no bid/ DEL. \$16.37 |
| 5) Approx. 400 ton #8 washed GRAVEL (state approved) | Unit Price FOB no bid/ DEL. \$20.30 |
- Items #6 & #7 – NO Bid.

Hanson Aggregates:

- | | |
|---|--------------------------------------|
| 5) Approx. 400 ton #8 washed GRAVEL (state approved.) | Unit Price FOB \$20.00/ DEL. \$25.40 |
|---|--------------------------------------|
- Items #1, #2, #3, #4, #6, & #7 NO Bid.

James R. Jones *moved* to award Items #1, #4, and #5 to **McClymonds Supply & Transit Co., Inc.** at the delivered prices contingent upon satisfactory inspection of the materials by the road foreman as follows: Item 1) Approx. 500 ton #8 Limestone (state approved) Unit Price DELIVERED \$17.10
Item 4) Approx. 500 ton #67 Limestone Unit Price DELIVERED \$16.37
Item 5) Approx. 400 ton #8 washed GRAVEL (state approved) Unit Price DELIVERED \$20.30

Seconded by Jim Chick. All agreed and *motion carried*.

James R. Jones *moved* to award Items #2 and #3 to **Quality Aggregates, Inc.** at the delivered prices contingent upon inspection of the materials by the road foreman as follows:

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|--|------------------------------|
| Item 2) Approx. 500 ton #2A Limestone | Unit Price DELIVERED \$15.50 |
| Item 3) Approx. 400 ton #2RC Limestone | Unit Price DELIVERED \$15.50 |

Seconded by Phil Bachman. All agreed and *motion carried*.

RECREATION COMMITTEE:

Leo Rosenbauer reported several 'action' items from their April 1st Recreation Committee meeting.

- 1) The softball and soccer associations would like additional gravel on the parking area beyond the Softball Legion Field. Chairman Jones said if the associations can get the stone donated by

Weleski's, the township road crew can spread it --- but noted that this area 'may not' remain a parking area!

- 2) The baseball association wants an additional dumpster for their whole season (so it will be permanent) and they will pay for it! The township secretary is to contact Vogel about the cost,
- 3) etc. and if necessary get back to Leo to report (i.e. if the cost is not comparable to the cost paid for the existing dumpster)
- 4) A tree limb is hanging down close to the port-o-john beside the softball fields. The road dept. is already aware of it.
- 5) Mike McCarren gave the township a list of materials to be included on the ShaCOG spring commodities bid. The secretary said the ShaCOG opened bids on March 30th, but to date the website has not been updated with the results. The pool association would have to order through the township to be 'eligible.'
- 6) The pool is still leaking and they would like the Supervisors to send another letter to the County for action and asked about the status of the bond. Chairman Jones said he would call the Commissioners.
- 7) There have been several incidents of 'port-o-john tipping' recently at the park. The association members can call the state police whenever there is an incident. Phil Bachman said the state police already drive through the park on a regular basis.
- 8) The soccer association asked if CDBG funds could be used to build a retaining wall and widen the 'road' into the parking area, if they incorporate a handicap ramp and parking spaces. Chairman Jones and the secretary said generally CDBG funds can be used to improve existing facilities by removing architectural barriers and agreed that it would be best for Leo to talk directly to Wendy Leslie, the County CDBG Coordinator.
- 9) Leo Rosenbauer has been working on the DCNR grant application that will be used to begin implementation of the 'master site plan study' done last year. The proposed project includes a community septic system, gazebo, phase I of the walking trail, and T-ball & soccer concession stands. The cost of the project would be between \$190,000 to \$200,000, which would require a 50% match. Phil Bachman does not believe we have the budget to proceed at this time. Leo and Chairman Jones said matching 'funds' can be donated time and materials plus township road crew labor/hours. A 50% match, after using the \$20,000 donation from Penn United (pending) would be close to \$80,000. A *motion* was made by James R. Jones to apply for the DCNR Grant as presented and sign the resolution. *Motion died for lack of a second.*

PLANNING COMMISSION:

Lois Fennell, Township Secretary/Treasurer and P.C. clerk, reported on the March 26th Planning Commission (P.C.) meeting. The main item of business was review and approval of the Laura J. Doerr Park Gazebo Land Development. The proposed gazebo will be built between the pool area and Hannahstown Rd. There will be two handicapped spaces at the entrance with a sidewalk to the gazebo. The existing lane will be widened to a 20 ft. cartway back to 24 parking places with a sidewalk to the gazebo. The gazebo is a 30 ft. 'octagon' shape. The 'wet' areas are to the east of the gazebo. The parking area will have to have some fill. Several larger trees will have to be removed, but the area will still be wooded. Leo Rosenbauer has drawn in the proposed electric line (coming from the pool house area to the gazebo.) The P.C. commented that a 'reserved parking' sign (or signs) need to be placed to deter other park/pool users from parking there when the gazebo is rented out! The P.C. further commented that 'port-o-johns' would need to be brought in for the area (especially if the gazebo is to be rented out) until a more substantial septic system (community type) is able to be installed. The Supervisors reviewed the drawing. Phil Bachman noted that some of the parking spaces adjacent to the pool area are shown over the pool septic system/field. It was agreed that Leo will revise the drawing. James R. Jones *moved* to approve the Gazebo Land Development for the Laura J. Doerr Park with modifications to the parking area. *Seconded* by Jim Chick. All agreed and *motion carried*.

The P.C. members discussed the Summit Township sewer line proposal. No specific comments were given to pass-on to the Supervisors. Dave Love was present and indicated that he would like to tap-in, if the Board approves the proposal.

NEW BUSINESS:

James R. Jones *moved* to authorize advertisement of bids for road oil (seal coat & paving materials). *Seconded* by Jim Chick. All agreed and *motion carried*.

James R. Jones *moved* to adopt Resolution #284 (the Right to Know 'Open Records' Policy) revised and submitted by the township attorney. Jim Chick *seconded*. All agreed and *motion carried*.

The Spring Convention of the Butler County Association of Township Officials is scheduled for May 21st at the Butler Country Club. James R. Jones *moved* to authorize township officials (supervisors, auditors, secretary, tax collector) to attend and pay the registration and usual expenses. *Seconded* by Phil Bachman. All agreed and *motion carried*. Chairman Jones indicated that he plans to attend. There is still time for the others to notify the secretary for registration.

The Knoch Track & Field Booster Association has requested permission to temporarily close Knoch Rd. from 8:25 AM to about 9:15 AM on Saturday, August 8, 2009 for the 9th Annual Roebling 5K Run/Walk. They will provide signs and traffic control as usual. James R. Jones *moved* to authorize the temporary closing as presented. *Seconded* by Phil Bachman. All agreed and *motion carried*.

The Butler Co. Commissioner's office sent a memo (with a response form) requesting the name of Jefferson Township's 'voting delegate' to the Tax Collection Committee. The Township has not appointed a voting delegate yet, but will look into doing that in the next month or so.

The Jefferson Township (Hall's Sewage Escrow) Certificate of Deposit matures today and approval is needed to roll it into a 36 month step-up CD. James R. Jones *moved* to proceed. *Seconded* by Jim Chick. All agreed and *motion carried*.

PUBLIC BUSINESS OR COMMENT:

Leo Rosenbauer from Becker Rd. reported that he and several neighbors have noticed the road edge cracking and the road-berm deteriorating. Phil Bachman said he can't do anything about the cracking, but will check out the berms there.

MISC. BUSINESS FROM TOWNSHIP OFFICIALS:

Several property owners remaining after the vote on the Summit Township sewer line proposal, thanked the Board of Supervisors for listening to their input and paying attention to the taxpayers.

One item missed earlier in the meeting was the inquiry from Saxonburg Borough about a possible 'joint trash drop-off day' -- tentatively set for June 2nd. Chairman Jones said they usually have 'drop-offs' at the Saxonburg Volunteer Fire Dept. If we participate, a list of acceptable items will be provided. The matter was tabled last month. James R. Jones *moved* to notify Saxonburg Borough that they are interested. *Seconded* by Jim Chick. All agreed and *motion carried*.

ADJOURN: James Jones *moved* to adjourn at 5:30 P.M. Jim Chick *seconded*. Agreed and carried.

ATTENDANCE: See original attendance list (2 pages)

Next Regular Meeting: Mon., May 11, 2009 at 3:30 P.M.