

REGULAR MEETING
July 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 3:32 P.M. on Monday, July 13, 2009. All rose to pledge the flag.

ROLL CALL:

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

ANNOUNCEMENT:

The Board met briefly in executive session prior to the meeting to discuss ongoing legal matters.

PUBLIC COMMENT ON THIS AGENDA AS PRESENTED: None.

MINUTES:

James R. Jones *moved* to approve the June 8, 2009 regular meeting minutes as written and distributed. *Seconded* by Jim Chick. All agreed and *motion carried*.

FINANCIAL:

The bills paid between the June 8 and July 13, 2009 meetings totaled \$440.32. The bills presented for payment from the General Fund today totaled \$27,473.95. Bills presented for payment from the State Fund today totaled \$10,498.25. The balance of all the funds after payment of the bills presented was \$488,916.23. 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: None.

RECREATION COMMITTEE:

Committee Chair, Leo Rosenbauer, reported on their July 1, 2009 meeting. Leo noted that only the pool representative was in attendance. He said the Career Track workers are currently cutting grass and painting guide rail, fences, and bleachers. The pool renovations are done, but the new shower heads already need to be replaced. As of July 1st, the pool was still losing water, but Jim Jones said Mike McCarren called him (since that meeting) indicating that he may have found one leak in the pipe system. Loyal Fredley reported that the softball tournaments will be July 17, 18, 19 and July 25 and 26. As requested by the township secretary, the committee clarified the times of their regular meetings, which will be at 7 PM from Sept. to May, and 8 PM from June to August. Lois will advertise.

PLANNING COMMISSION:

Planning Commission (P.C.) Chair, Evelyn Gross, reported on the June 25, 2009 Planning Commission meeting. The P.C. reviewed and approved the Limbacher Plan #2 with modifications. Ms. Jane Limbacher presented a Lot-Line Revision of her property located at the corner of Constitution Ave. and Water St. Ext. All four existing lots (1, 2, 3 and 6) have public sewer access. Currently they do not have public water, but the Saxonburg Authority asked for an additional 10 ft. utility easement along the frontages. Lot 1 (vacant) of 1.14 acre will be slightly smaller at 1.116 acres. Lot 2 of .66 acre with existing dwelling will be slightly larger at 0.869 acre. Lot 3 with existing dwelling will slightly larger at 0.275 acre. Lot 6 (vacant) will be slightly smaller at 0.515 acre. The Supervisors reviewed the plan and agreed that the lot-line revision improves the lots. James R. Jones *moved* to approve the Limbacher Plan #2, a Lot-Line Revision, as presented (including modifications for frontages and lot sizes). *Seconded* by Jim Chick. All agreed and *motion carried*.

PLANNING COMMISSION, cont.:

The P.C. discussed at length the proposed "Off-Road Vehicle Ordinance", expressing concern about the following: - how to enforce, the cost of enforcement - the probable purchase of a 'meter' - do other townships in Butler County have similar regulations? - the '300 ft from any dwelling or from any type of livestock' is too much - why must the operator/owner get 'written' permission from other private property owners' - what about 'occasional' crossing of stream? (maybe stress restriction of 'established riding area') - operation times are too restrictive - dust and noise regulations need to be simpler - may need regulations for commercial/business -- in a separate 'section' with requirements for buffer zones, etc - operation for 2 hours/off 1 hour will be difficult and costly to enforce (*the codes officer would have to sit there at least 3 hours to determine a violation.*) Jim Jones commented that the township may not need to require written permission from 'other private property owners' because it would be between the 'ORV operator/owner and the property owner, but added that it would be to the property owner's best interest if he required a written agreement. Jim Jones said we should wait to see what the attorney has to say about the proposed draft and discuss the matter further then.

The P.C. reviewed the proposed revisions to Chapter #22 for Road Specifications. It was agreed that four items need to be 'refined' or tweaked: the 50 ft. r.o.w. 'change' (see section IX top of 3rd page) needs to be changed in all other parts of the code of ordinances that refer to the 'r.o.w. width'; the "50 ft. graded width" requirement in Section VII Part 9 (see page 2) is excessive; the roadway width should say 24 ft. including the paved berms; and in SS1003, all roads don't need 'base drain' so it should be stated 'as determined by the township engineer'.

The P.C. reviewed the draft driveway and street access ordinance submitted by Attorney Marshall back in Feb. 2008. It appears to be a good ordinance to regulate 'roads in subdivisions or housing plans' but is too strict for 'single family - one driveway to one lot' situations. The P.C. wants to know if Chapter 21, Section 200 is to remain in effect and if it is sufficient to regulate the 'one driveway to one lot/house'.

The P.C. is still waiting for Attorney Marshall to get back with them about regulations for wind mills on single residential lots.

UNFINISHED BUSINESS:

A special meeting of the Butler County Sewage Association regarding the DEP funding shortage is scheduled for Wednesday, July 22, 2009 at 7:00 P.M. Chairman Jones will attend. There are two decisions to make at the meeting: 1) how to calculate member repayment of the debt (the 2008 Act 537 Sewage Reimbursement due from the state, but which may not be included in the state budget) and 2) how to handle future finances. The Supervisors agreed that Jim Jones can authorize that Jefferson Township can make up the DEP reimbursement (*if necessary*) by permits issued in our township and if state reimbursement in the future is questionable, can authorize increased permit fees so that the property owner pays 100% of the costs for permitting, etc.

The PA Dept. of Community and Economic Development (DCED) has recommended that the Earned Income Tax voting delegate and at least one alternate be appointed to the Tax Collection Committee (TCC) by 'resolution.' Lois Fennell was appointed in May by motion at the meeting. She suggested that Erma Mowry be appointed as the alternate. (Erma is the voting delegate for the South Butler County School District and Penn Township.) James R. Jones *moved to adopt Resolution #289* appointing Lois Fennell as the voting delegate and Erma Mowry as the alternate delegate on the EITCC. *Seconded* by Phil Bachman. All agreed and *motion carried*.

NEW BUSINESS:

Sec/Treas. Lois Fennell received a phone call from Winfield Township's secretary, Vicky Schmeider. She said their Supervisors received a request from one of their residents (Howard (Bud) Roenigk, 891 Winfield Rd. Cabot) to have PennDOT do another speed study on Rt. 356. The Winfield Township Supervisors refused at their subsequent meeting, stating that what he really wants is the 35 mph

NEW BUSINESS, cont.:

speed limit zone on Rt. 356 in Jefferson Township increased (north and south of the Marwood Rd. intersection). The Jefferson Township Supervisors are not in favor of having that 35 MPH speed limit increased and will not request another study from PennDOT. Evelyn Gross commented that what Rt. 356 really needs is a 'turn lane' the whole length, but the PennDOT is more concerned with Cranberry Township and Rt. 228 at this time.

House Bill #1500, a proposal to force municipalities to reimburse the state for 'state police coverage,' is currently before the full house. If the legislature passes this, it will be at the peril of the municipalities and at the expense of all property owners in the state. The rate proposed for the first year is \$52 per capita; \$104 per capita for the 2nd year; and \$156 per capita for the 3rd year. In Jefferson Township, this would amount to an 8-mill increase each year, which is actually impossible since the PA Second Class Township Code allows only a maximum of 14 mills for general purposes (and police coverage is not considered a 'special levy' option.) Letters were prepared, signed and sent to Representative Darryl Metcalfe and Senator Don White regarding our concern.

The road department needs to replace the old 'steam jenny' pressure washer. It is 15 years old. The cost for a new one from Hotsy Equipment is \$2,695.00 after our trade-in of \$550.00. A *motion* was made by James R. Jones to authorize the purchase of the new 'steam jenny' pressure washer. *Seconded* by Jim Chick. All agreed and *motion carried.*

PSATS is offering CDL Drug and Alcohol Testing Supervisory Training and CDL Records Management on Monday, August 10th. The afternoon class ends at 4 PM – but our regular meeting is the same day at 3:30 PM. *Motion* to authorize Lois to advertise the August 10th meeting for 5:30 PM, allowing her to attend (the township will pay the registration and usual expenses) the morning and afternoon classes at the Cranberry Township Municipal Building. *Seconded* by Phil Bachman. All agreed and *motion carried.*

There was no interest indicated in two other seminars: "The New FEMA Elevation Certificate: The Foundational Documents in the National Flood Insurance Program" – August 11th in Allegheny County and "The Compelling Case for Natural Gas Vehicles" – Wed., Aug. 5th in Pittsburgh.

Applications for the PSATS Youth Award are now available for distribution to youth groups, scouts, 4-H clubs, etc. Projects benefiting townships of the 2nd class may be eligible to win an award and a \$500 prize. Applications are due first to the Butler Co. Assn. of Township Officials by September 3rd to be reviewed and approved, before submission to PSATS by Oct. 15th for their consideration.

PUBLIC BUSINESS OR COMMENT:

It was noted that a Mr. Gustafson called the office about someone dumping trash along and off the side of Dinnerbell Rd. near his property. In fact, someone was actually putting trash in 'their' trash containers. The Supervisors said this is a civil matter and not a township matter, plus this is a state road.

MISC. BUSINESS FROM TOWNSHIP OFFICIALS:

PennDOT has hired Keller Engineering, Inc. to do the bridge inspections (which are done every two years.) The road foreman completed the short survey on the two bridges: Golden City Rd. (T-565) over Davis Run and West Jefferson Rd. (T-844) over Thorn Creek.

ADJOURN:

James Jones *moved* to adjourn at 4:20 P.M. Jim Chick *seconded.* Agreed and carried.

ATTENDANCE:

Sue Hartzell, Lois Rankin, Evie Gross, Paul Foertsch, Jane Limbacher, Wally Cypher & Stan Mills

Next Regular Meeting: Mon., August 10, 2009 at 5:30 P.M.