

JEFFERSON TOWNSHIP BOARD OF SUPERVISORS

REGULAR MEETING

June 14, 2010

CALL TO ORDER:

The regular meeting of the Jefferson Township Board of Supervisors was called to order by chairman, James R. Jones, at approx. 3:30 P.M. on Monday, June 14, 2010. All rose to pledge the flag.

ROLL CALL:

Those present were James R. Jones, Lois J. Rankin, L. John Cypher, Attorney Donald Graham and Lois J. Fennell, Sec/Treas.

PUBLIC COMMENT ON THE AGENDA AS PRESENTED: None.

ANNOUNCEMENTS:

Brett Neupert announced that he may be taping the meeting.

The Supervisors met briefly with Attorney Graham in executive session prior to the meeting (on-going legal matters, property matters, and personnel).

Chairman Jones announced that II-VI, Inc. will be doing an alert (siren test) on June 25th and 26th at noon.

MINUTES:

James R. Jones *moved* to approve the May 10, 2010 regular meeting minutes as written and distributed. Lois Rankin *seconded*. All agreed and motion carried.

FINANCIAL:

The secretary/treasurer reported that the bills paid between May 11th and June 14th meetings totaled \$1,871.31. The bills presented for payment from the General Fund today totaled \$14,686.23. No bills were presented from the State Fund. The total of all the funds after payment of the bills presented was \$465,330.85. John Cypher *moved* to pay the bills presented plus any that become due before the next meeting. *Seconded* by James R. Jones. Agreed and *motion carried*.

ROAD REPORT:

Bill Foertsch reported that paving (as bid by Wiest Asphalt) is planned for late July and seal coating (as bid by Suit Kote) is planned for early August. They have completed the crack sealing. The machine was used for 7 days and with 5 pellets of material for a total of \$6,600.00. They are continuing work on berms. A sign was stolen off Creek Rd. They recently used work release workers to weed-eat on Fisher, Caldwell, Simon and Burtner Roads. Bill said that work was satisfactory and he would like to have them return to help with digging outlets for catchbasins on Brian Drive and painting at township. The Board had no objections. He has been attempting to get quotes for new roof on the maintenance building and asked if the Board preferred metal or shingle. The Board would like quotes on both. He reported that it was in the best interest of the township to 'quote' the street signs. The best price was through Chemung (\$6,371.59), who under priced the COG (which was Ibis Tek at \$6,814.22). Bill asked what is the responsibility of the road crew so far as 'possible violations' seen 'off' the right-of-way. The Board would like to be informed, but the road crew has no other responsibility for any possible violations 'off' the township right-of-way. Bill reported motorbike(s) using our gravel piles and tearing up lot; they have not been 'caught' at site yet. He will be installing two 'no trespassing' signs this week. Bill noted that he will be fixing a water problem on Neupert Rd. (on what he thought was along Lloyd Brewer's property...Norm Neupert said today that it is along his property.) He plans to use stone and asphalt rather than just adding a ditch. He reported that someone made a road at the end of the Whitaker Rd. cul-de-sac to take out trees. Bill reported that Phillips Productions plan to dig at three sites (8

wells). One access (driveway) in Jefferson and two in Penn Township, but all three will be using Mushrush Rd. to the closest State Road (Saxonburg Rd.) Sections of Bullcreek and Mushrush are to be paved. John Cypher *moved* to proceed with the paving plans and in the meantime plan a meeting with the road foreman, a representative from Phillips Production, Supervisor Lois Rankin and Attorney Marshall to discuss the bonding issues and 'excess maintenance agreement'. *Seconded* by James R. Jones. All agreed and *motion carried*. Attorney Graham will check on the recent "Oakmont court decision" to determine if it is applicable to land development ordinances (not just zoning) and give the information to Attorney Marshall.

Lois Rankin asked if he looked at the situation reported by Cheryl Prybock (Becker Rd.) last month. Bill said he did and determined that the water issue was not the township's problem.

Evie Gross mentioned (since we were talking about the roads) that there have been several recent accidents at the Great Belt/Bonniebrook Rd. intersection. She believes people are not heeding the 'opposing traffic does not stop' sign at the three-way stop intersection. Others commented that drivers simply do not follow the speed limit or have been distracted (i.e. on their cell phone.)

PUBLIC BUSINESS OR COMMENT:

Dave Perine was present to complain that the codes officer did not process his building permit in a timely manner. He said it was a moot point, since she has resigned as codes officer. Chairman Jones noted that she was resolving some personal issues, plus she told the secretary she had originally understood that Mr. Perine was not in a 'hurry' for the permit, and would have processed it quicker if she had known the situation had changed for Mr. Perine.

RECREATION COMMITTEE:

Leo Rosenbauer, Recreation Committee Chairman, reported on the June 2, 2010 meeting. **BASEBALL:** A gate was placed across the access road to the batting cages by the Township crew as previously requested. Chairman Jones is to supply a key to the concession stand manager. The baseball season will finish by the end of June. **POOL:** The pool does not seem to be leaking anymore and the water coming into the pool looks good this year. Pool membership is down, which is likely due to the school year being extended by the teachers' strike. A crew from Davis Archway has been raking leaves and mowing. The hotdog cooker and 2 pizza ovens that were stolen have been replaced at the Pool Association's expense, since the deductible was too high to consider using the insurance. The pool cover is damaged and needs to be sent for repair. The Pool Association manager is to contact C. W. Howard to make a claim to have them determine if it is 'covered.' **SOFTBALL:** Loyal Fredley is to check with the Softball Association to see if they are interested in using Davis Archway crews to paint fences. They Softball Assn. will have to supply the paint and equipment. **SOCCER:** Fencing at the handicapped parking area will NOT be included in the parking lot renovations this time. The Soccer season ended Sunday June 6th. Six bid 'pick-up trash' signs have been placed in the soccer areas. **PARK:** The Davis Archway crew projects include: painting the softball fence; painting the bleachers; dumping trash into the dumpsters; and other projects as the associations determine.

PLANNING COMMISSION:

Planning Commission (P.C.) Chair. Evelyn Gross reported on their May 27, 2010 meeting. They reviewed the 'revised' Veselich Lot-Line Revision (on Bullcreek Rd.) approved in March 'contingent' upon the addition of the septic system location and well locations for 2F12-43A and showing the 'subtraction' from remnant farm acreage owned by Lawrence & Edward Veselich (2F12-43). Three lots on the east side of the road will be combined for conveyance to Robert L. Veselich. Parcel A of 2.50 acres plus tax parcel 2F12-43A of 1.242 acres plus Parcel B of 2.08 acres from 2F12-43. Total revised acreage is 5.82 for revised tax parcel 2F12-43A. The Supervisors reviewed the plan. *Motion* by James R. Jones to approve the Veselich Lot-Line Revision as revised and presented. *Seconded* by John Cypher. All agreed and *motion carried*.

The P.C. reviewed and approved a modification request from Robert & Rebecca Hilterman on Bullcreek Rd. for a proposed garage to be 41 ft. from the road right-of-way. The set-back is consistent with that of the existing buildings. The Supervisors reviewed the modification request. John Cypher *moved* to approve the 41 ft. front set-back (9 ft. modification) for Robert & Rebecca Hilterman as presented. *Seconded* by Lois Rankin. All agreed and *motion carried*.

The P.C. reviewed and approved a modification request from Viki Nulph on Fisher Rd. for a 12' x 16' shed to be 15 ft. from the property line of Dennis Franke. A notarized letter of permission was submitted from Mr. Franke. The Supervisors reviewed the request. The lot is narrow (only 75 ft.) limiting the available space. James R. Jones *moved* to approve the 15 ft. side set-back (10 ft. modification) for Viki Nulph as presented. *Seconded* by John Cypher. All agreed and *motion carried*.

Ms. Gross noted that Leo Rosenbauer recused himself for the remainder of the P.C. meeting because he represented the following plans/land developments.

The P.C. reviewed and approved the J. B. (Joel) Henderson Plan on the corner of Mushrush and Bullcreek Road contingent upon DEP sewage module submission and approval by DEP. Mr. Henderson is dividing off Lot 1 of 4.160 acres for his daughter. Lot 1 is a flag-lot with a 40 ft. r.o.w. strip, which widens to 55 ft. along Mushrush Rd. giving the lot 110 ft. of road frontage. The plan now indicates a 25 ft. dedicated r.o.w. along Bullcreek and Mushrush Roads for utilities. Lot 1 is 'odd-shaped' due to the location of the septic tests and the topography. Revised (remnant) Parcel A will be 26.705 acres. Septic tests were done on Lot 1, but the DEP module was not submitted with the plan. The Supervisors reviewed the plan. John Cypher *moved* to approve the J. B. Henderson Plan contingent upon DEP approval of the sewage module (when submitted). *Seconded* by Lois Rankin. All agreed and *motion carried*.

The P.C. reviewed and approved the Jane Sell Plan, a lot-line revision on the north side of Winfield Road. Original tax parcel #320-1F94-10A (*which is partially in Jefferson Township and partially in Winfield Township*) is being divided into Tract A of 2.49 acres and Tract B of 1.14 acres. Original Lot 2 of 1.31 acre will be added to original Lot 3 of 1.34 ac. plus Tract A of 2.49 acres making REVISED LOT 3 a total of 5.14 acres with existing dwelling in Jefferson Township. Tract B of 1.14 acres will be added to existing Lot 1 of 3.00 acres making REVISED LOT 1 a total of 4.14 acres with existing dwelling in Winfield Township. A 25 ft. dedicated r.o.w. is now indicated along Winfield Rd. for possible utilities, etc. The Supervisors reviewed the plan. John Cypher *moved* to approve the Jane Sell Plan as presented. *Seconded* by Lois Rankin. All agreed and *motion carried*.

Ms. Gross reported that the P.C. received several items at their May 27th meeting in regards to the Neupert Raceway Park Land Development (proposal): 1) an e-mail from Butler Co. Sewage Association reporting on the meeting between Ms. Mazzanti and Mr. Brett Neupert ; 2) a copy of the response from Butler Co. Conservation District to Mr. Brett Neupert; 3) a review letter from the township engineers, Frank B. Taylor Engineering (Brandy Kunsman); and 4) a notice from Butler Co. Sewage Assn. that they received application and payment for sewage testing at 138 Neupert Rd./Neupert Raceway Park. There are still several outstanding issues, but it appears that Mr. Brett Neupert is working on the required items. Mr. Neupert reported to the Supervisors today that septic pit tests have been started. **No action was taken by the P.C. on May 27th. No comment/no action by the Supervisors today (June 14th.)**

UNFINISHED BUSINESS:

John Cypher reported that he reviewed the quotes received for the workmen's compensation insurance. The lowest quote, which is from HARIE (Housing and Redevelopment Insurance Exchange) through C. W. Howard Insurance Agency for \$6,622.00, was actually lower than last year's through the same company. The secretary will notify C. W. Howard to proceed with processing.

John Cypher also reported that he attended the Summit Township Supervisors' meeting last month in regards to their efforts to have PennDOT take over Bonniebrook Rd. The BAMB Plan (a multi-municipal comprehensive plan between Butler City, Butler Township, Penn Township, Summit

UNFINISHED BUSINESS, cont.:

Township, and E. Butler Borough) is actually promoting update of all roads in the region. PennDOT Municipal Services had spoken to Summit Township and to Jefferson Township about possible 'trade-offs', but for either Township the amount to be traded is not sufficient to cover the Bonniebrook mileage; plus small sections on the north and south ends were never under state maintenance. The Townships will focus on getting the legislators involved and interested in this endeavor. A letter will be drafted by the secretary with assistance from Mr. Cypher.

Lois Fennell reported that Butler County has a 'draft' Stormwater Ordinance has been made available and will be discussed at a meeting at the county government center at 4 P.M. on Tues., June 15th. Lois and Evie plan to attend.

NEW BUSINESS:

Knoch Track & Field Boosters have requested a temporary closing of Knoch Rd. for the 10th Annual Roebling 5K Run/Walk on Saturday, August 14th. The road will be closed from 8:15 to 9:15 AM. This is an annual request. James R. Jones *moved* to approve the temporary road closing as proposed. *Seconded* by John Cypher. All agreed and *motion carried*.

Danielle Sedlak has submitted her resignation as 'codes and building permit officer'. She asked to be done by June 24th. Jim Jones subsequently asked Gary Stone and Wayne Deaner to consider the position and both declined. Lois Rankin also asked Ken Messner, but he declined. John Cypher then called Dave Vaughan, who agreed saying he would be honored to serve again as codes and building permit officer. John Cypher *moved* to appoint David R. Vaughan as 'Township Codes and Building Permit Officer' effective immediately to begin takeover and training at same rate plus mileage; plus possible cell phone (the secretary is to inquire about adding a phone to the current Verizon agreement). *Seconded* by Lois Rankin. Chairman Jones *opposed*. *Motion carried 2 to 1*.

The codes officer was contacted about a lane name for an existing right of way to at least three residences. 911 and Winfield Township have already approved "Marjory Lane". It has no houses 'in Jefferson', but future ones could be in the 100-100 range, and houses in Winfield can start with 200, etc. James R. Jones *moved* to approve the naming of "Marjory Lane" off Riemer Rd. *Seconded* by Lois Rankin. All agreed and *motion carried*.

The Butler Co. Sewage Association forwarded the DEP Repair module for Joan Kelly on Bullcreek Rd. Repair modules need only go through the Supervisors' meeting for adoption of a "Resolution for New Land Development." *Motion* by James R. Jones to adopt Resolution #305 for the Joan Kelly DEP Repair Module. *Seconded* by Lois Rankin. All agreed and *motion carried*.

MISC. BUSINESS:

The Township received a letter from PA DCNR regarding a 'wildfire hazard assessment.' Several surrounding townships in Butler and from other counties have communicated that they too received this letter and 'flyer' for a '2010 Firewise Conference' to be held in Gettysburg in September. No interest was indicated.

Lois Fennell, Sec/Treas., reported that the State and Federal Emergency Management Agencies (PEMA & FEMA) have revised floodplain maps and the township's current floodplain ordinance is being reviewed by the state. Once comments are received back, the township will likely be required to adopt a revised or new floodplain ordinance. The Township will be responsible to notify residents that may now be in a floodplain that were not in it before and vice-versa. The problem is 'who' has the expertise to determine this. Some townships have GIS and could overlay the old and new flood maps with the township map or county parcel information, but not Jefferson!

A letter was received from Dale Property Services Penn, LP regarding oil and gas leasing. The matter was tabled. The township is not ready to lease any property and once they do, bidding is required.

A copy of the letter to Butler County from M.E. Services regarding Phillips Explorations, Inc. was received. Phillips Explorations has applied for an Erosion & Sediment Control General Permit.

A notice was received from Clarion County 'Township' Association regarding a 'Marcellus shall' informational meeting they are sponsoring on June 21st from 7 to 9 PM at Limestone Fire Hall, Rt. 66, Limestone, PA. Evie Gross cannot go; no other interest was indicated.

John Cypher brought up the subject of changing the meeting times. He said 3:30 P.M. is a little too early for his work schedule. After some discussion, John Cypher *moved* to change the Supervisors' meetings on the 2nd Monday to 5:00 P.M. beginning in July. *Seconded* by James R. Jones. All agreed and *motion carried*. The change will be advertised. The secretary's hours on 'meeting day' will be 9 AM to 5 PM (instead of 7:30 AM to 3:30 PM).

Lois Rankin introduced the possibility of assessing property owners for the water hydrants that are located within a certain distance (Attorney Graham believed this to be 780 ft.) from their houses. These property owners would benefit from lower insurance premiums (even if they are not on the public water system.) Saxonburg Authority, previous owner of the water system never billed for the hydrants, but notified us in May 2009 that the new owner, PA American Water, will charge for the hydrants at \$11.08 per month per public fire hydrant. The township currently has 19 hydrants, but additional hydrants are to be installed when PA American installs a new water main on Saxonburg Road this year. The Board will continue to look into the matter, and if they decide to proceed, an ordinance will have to be prepared and adopted.

ATTENDANCE:

David Perine, Ashley Foertsch, Brett Neupert, Norm & Alana Neupert, Evelyn Gross, Gene Widenhofer, Bob Hiltermann, William and Mandi Foertsch, Wally Cypher, and Leo Rosenbauer.

ADJOURN:

Motion by James R. Jones to adjourn the June 14, 2010 meeting at approx. 5:44 P.M. *Seconded* by John Cypher. All agreed and *motion carried*. The next scheduled meeting is July 12, 2010 at 5 P.M.