

Connoquenessing Township's Supervisors Meeting was called to order by Chairman, Terry Steinheiser at 7:00 p.m. on March 6, 2013 at the Connoquenessing Township Municipal Building. Steinheiser thanked everyone for attending due to the inclement weather and gave credit to our road crew and the state road department for making it possible. Present were Supervisors Terry Steinheiser, Scott Longdon and Jack Kaltenbaugh . Also attending were Solicitor Andrew Menchyk, Jr., Engineer Bill Braun, Treasurer Lee Kradel and Secretary Brenda Davis was present to take the minutes. Fourteen residents signed in on the public sign in record on file. The meeting opened with the Pledge of Allegiance.

REVIEW MINUTES

Steinheiser motioned to accept the "supervisors meeting" minutes of February 6, 2013. Longdon, seconded. Roll call, yes.

FINANCIAL REPORT

Lee Kradel reported the beginning balance in the General Fund is \$309,757.00 but after total deposits of \$59,121.34 and checks of \$97,429.09 are approved tonight the ending balance will be \$271,449.25. The Escrow account beginning balance was \$21,583.00 but after deposits of \$7,590.00 and checks in the amount of \$1,852.00 tonight, the ending balance is \$27,321.00. Lee Kradel said the Highway Aide beginning balance was \$25,870.41 but with interest of \$.32, the ending balance is \$25,870.73. Lee Kradel stated the Act 13 Impact Fee fund beginning balance is \$205,561.00 but with interest of \$31.54, the ending balance is \$205,592.54.

Secondly, Lee Kradel stated the Audit Report is complete and the financial statement ad is in the Butler Eagle. Ms. Kradel stated she will file the DCED report with the Clerk of Courts by the deadline of March 31, 2013. Lee Kradel also said her bond amount was approved to be increased from \$500,000 to \$750,000 by C.W. Howard insurance company. Steinheiser stated the auditors, Maher Duessel, will present the Audit Report at a future supervisor meeting. Lee Kradel said they will attend the May 2013 meeting. Steinheiser motioned to accept the financial report and pay the bills. Kaltenbaugh, seconded. Roll call, yes. Evelyn Hockenberry questioned if the Act 13 funds could be used since they are not budgeted for a specific expense and just being held in a reserve account. Steinheiser stated, "yes" it can even be moved to the General Account as long as it is used for one of the 13 allowable expenses.

COMMENT PERIOD

Steinheiser opened by stating the comment period will be held to a three minute time limit.

Harold Rader, Connoquenessing Borough resident, stated the borough had to get city water over twenty years ago because of bad water and/or no water. Mr. Rader stated he feels the water problem in the Woodlands goes way back. Mr. Rader said "you can't expect not to have problems with wells and septic on a 70' x 140' lot". Mr. Rader feels each Woodland lot should be dye tested to check for contamination from septic. Mr. Rader stated he has been on Borough Council for 44 years and said there was no control over past well drilling in the area, therefore many were not deep enough or the casing was not up to standard. Mr. Rader said he had two gas wells fracked on his property in the 60's with kerosene and sand and he hasn't had any problems. Steinheiser said he has learned that you can only pull on the water table so hard

before hard water pulls in. Mr. Rader stated the Woodlands area didn't have a good water vein in the 30's. Steinheiser said Fox Drive in the Woodlands doesn't seem to have the same problems which could be because they have deeper wells and larger lots.

BIDS

Longdon said it is time to part with the 92' International. After discussing, the board thought it should be advertised in the Municibid and the Butler Eagle. Longdon motioned to advertise the 92' International 10-ton dump truck in Municibid and the Butler Eagle. Kaltenbaugh, seconded. Roll call, yes.

Brenda Davis opened the one sealed bid for the office copier advertised in the Butler Eagle. Dave Ice, Township SEO, bid \$125.00. Longdon motioned to accept the \$125.00 bid on the old office copier. Kaltenbaugh, seconded. Roll call, yes.

OLD BUSINESS

London mentioned receiving two bids on updating the office computer and refurbishing the old office computer to be used by the road crew. Longdon stated the board agreed to go with "Mobile Tech Computers" because they were the lowest bid of \$1,359.96 and under budget. Longdon said the network is now up-to-date and provides automatic backup everyday instead of manually backing up monthly.

Andrew Menchyk, Jr. said the "sign ordinance" has been advertised and ready to adopt if the board is ready. Longdon stated it has been reviewed by the Planning Commission and Supervisors and any changes were updated. Evelyn Hockenberry had concerns in the ordinance that she feels it regulates how many signs a resident can put in their yard and also requiring a resident to get a sign permit for "Brown Eggs for Sale". Longdon said he feels the ordinance is only requiring sign permits for a Home Business sign (commercial) not "no trespassing signs" or "yard sale" signs on personal property (residential). Ms. Hockenberry displayed her disagreements on several parts of the ordinance. Steinheiser told Ms. Hockenberry that the ordinance is not to prevent but protect the residents. Steinheiser made a motion to adopt the "sign ordinance". Kaltenbaugh, seconded. Roll call, yes. Evelyn Hockenberry said she objects because you're taking away one of our freedoms. Steinheiser said it was up for discussion and motion has been passed.

NEW BUSINESS

* NONE *

REQUEST TO BE HEARD

Mr. Jim Smith, Woodlands resident, said he was at the Butler County Commissions Office earlier and Mr. Eckstein told him there was a meeting to discuss running a waterline to the Woodlands. Steinheiser told Mr. Smith that Mr. Eckstein was not at the meeting but said PA American Water is willing to help and said with the development of the Brennan establishment, it will be a shorter distance which could bring the past cost estimate of \$800,000 to \$490,000 and stated that is "with" the distribution point of where you can get water. However, Steinheiser told Mr. Smith the water company requests the Woodland residents to establish an association because they won't take on the liability of running the water lines until someone is

responsible to pay for the water since the area is all private. Steinheiser said it is truly not the responsibility of the Township but the board is working on the problem to help. Mr. Smith said that is what he was told earlier at the Commissioners office and just wanted to make sure everyone was on the same page. Steinheiser told Mr. Smith that Larry Lambaugh with PA American Water is who the association should be contacting. He said that the county commissioners' meeting is this coming Thursday and it would be advantageous to talk with them. Steinheiser said Brian Ellis is also willing to concentrate on finding funding for the area. Steinheiser said, "everyone needs to work together".

PLANS

Jerry Oliver and Attorney Dwight Ferguson representing Oliver Outdoor presented three sign structure applications. There are two sign structures on one property and one on another. They are proposed to be LED signs and they are smaller and not as bright. The lighting is much less than the foot candle requirements of the ordinance. Plans have been submitted to planning commission, and they had a fourth application that is subject to exactly the same review requirements as the other three so Mr. Ferguson asked if it can be considered tonight also. Mr. Ferguson stated that Mr. Oliver can answer any technical questions or questions about location of the billboards. Mr. Oliver stated that two signs will be on the West property on Route 68 and one will be on the Underwood property. The fourth proposed would be on the property is the Early Years Childcare. Jack Kaltenbaugh asked where the billboard was going to be located on the Early Years property. Mr. Oliver stated it would be on the vacant part of the property to the left. Kaltenbaugh stated his concern regarding site distance on Buttercup School Road. Bill Braun stated that a review letter had been written about this sign but the required site plan has not been received. Mr. Oliver stated they are willing to accept the condition of approval that the height will not exceed 28', therefore it is in compliance with airport ordinance. Mr. Ferguson stated that they have received the third party approvals required from utility companies and they will provide their PennDot approvals when received. Kaltenbaugh asked if the signs on the West property were going to be set on the property lines? Mr. Oliver stated they would be set back 4 feet. Discussion continued regarding the placement of the signs and whether it would be better to place one sign on one corner rather than two signs. Mr. Oliver stated there is only one sign face on each sign at the West property and two sign faces on the Underwood property sign. Discussion continued regarding ability to remove trees or other vegetation if they grow within the line of sight. Scott Longdon and Terry Steinheiser felt that Oliver Outdoor did not have the appropriate approvals required and there are too many contingencies required to get board approval. They asked Mr. Oliver to "do a little more homework" and bring them back to the board. More discussion followed regarding the existing billboards that have been approved by the township and Mr. Oliver wanted clarification of what else the board is requiring. Steinheiser stated that they needed to get approval from the airport, come back to planning commission and then bring back to the board. The final item in Senate's review letter regarding "on-premise" advertising was discussed. Mr. Ferguson stated that it is Mr. Oliver's position that it is unconstitutional to restrict signs to "on-premise" advertising only. Case law was presented and Mr. Menchyk, Jr. agreed. Mr. Oliver stated that they simply wanted to abide by the same rules and regulations as Statler Billboards did. Mr. Menchyk, Jr. stated that he feels the board is looking for approval under the airport ordinance and revised drawings. Mr. Oliver stated that they would get all three properties back to the planning commission and then come back to supervisors for approval next month. Mr. Oliver thanked the board for their time.

Voelker Paving was not present but Bill Braun stated they planned to be here tonight and that the planning commission recommended their phase I for preliminary and final and phase II for preliminary only but there is a lot of revisions required and they would not be completed in time and Mr. Braun had no time to review. Steinheiser stated he wanted this plan completed properly as it has already cost the township money. Steinheiser wants to be sure they follow through with everything they are supposed to. Steinheiser made a motion to grant Voelker Paving a 30-day extension for their plan approval, seconded by Kaltenbaugh. Roll call, yes. Motion carried.

ENGINEER REPORT

Bill Braun stated he did a final inspection on the Voll Compressor Station site and stated it has been completed as planned and recommends the board release their improvement bond. Steinheiser motioned to release the Voll Compressor Station improvement bond. Kaltenbaugh, seconded. Roll call, yes.

SOLICITOR REPORT

Mr. Menchyk, Jr. stated it was discussed last month about the requirement for a primary and alternate sewage site in lot line revisions and carving out a second lot from a parent tract. The township is not required under the PA Code or the DEP to have the alternate site for the parent lot. The lot carved off of the parent tract will need to have the primary and alternate sites because it is a new lot, but the parent tract does not if it has a functioning on-lot system. When you have a lot line revision where part of a third lot is added to each of two existing lots with existing functioning systems, nothing further is required. Mr. Menchyk, Jr. stated that he did review Ordinance #62 in which the preamble mentions the requirement for two feasible on-lot sites for each newly created lot, but the actual text of the ordinance does not mention the requirement for two sites. In his opinion the ordinance does not require testing for two sites and we can, going forward, eliminate the requirement for the above scenarios. The requirement for a new lot to have a primary and alternate septic site has not changed. Mr. Menchyk, Jr. will clarify the ordinance and bring to next meeting.

CODE ENFORCEMENT REPORT

Code enforcement report in packets. Steinheiser motioned to approve and pay Leyne Lokhaiser's invoice in the amount of \$185.05. Kaltenbaugh, seconded. Roll call, yes. Steinheiser said he is very pleased with Mr. Lokhaiser addressing the ordinance enforcement. Longdon and Kaltenbaugh agreed.

ROAD MASTERS REPORT

Longdon said the road superintendent's report for February 2013 states the crew salted and plowed 18 days this month. Longdon stated they also cut ditch lines to divert water and continue to do maintenance on equipment.

Longdon said XTO Energy cut the bank back on Powder Mill Rd. to address the visibility problem at the Rutledge well. In addition, Longdon said XTO is tarring and milling Reiber and Nursery Roads.

Longdon stated the "Salt Contract" has been placed with CoStars for the same 600 ton order.

BUILDING INSPECTOR'S REPORT

Steinheiser stated there was one building permit applied for this month. It was:
Elvis & Carrie Major - Rolling Valley Lane - porch

TAX COLLECTOR REPORT

Mr. Pawlowicz stated the 2013 real estate tax cards have been mailed so the money should start coming in at a steady rate.

SEO REPORT

Steinheiser stated the final sewage inspection is complete for Robert Cole.

EMERGENCY MANAGEMENT COORDINATOR REPORT

Scott Longdon said he attended a required course for Emergency Management.

MOTIONS & GENERAL INFORMATION

Steinheiser mentioned a "Land Use Letter" dated February 18, 2013 was requested for the proposed Dollar General at 861 Evans City Rd. Bill Braun stated the Township could complete but since their plan has not been reviewed, there would be no comments so there is really no reason to respond. The board agreed not to respond.

Steinheiser motioned to release the William Kradel Estate subdivision plan escrow in the amount of \$385.00. Longdon, seconded. Roll call, yes.

Steinheiser said the below, which was on the agenda, is for information:

Rec'd "notification of surface landowner/water purveyor of well drilling operation or alteration" from DEP for 2 wells in Forward Township. The well pads are Gill Units 4H and 5H. Information for both are on file at Township office.

Received letter dated February 4, 2013 from Rex Energy notifying that Permit Applications for Drilling or Altering a Well are being submitted to the PA DEP for the L&L Properties Unit's 1H and 2H natural gas wells. The wells are located in Lancaster Township. Information is on file at the Township Office.

Received letter dated February 6, 2013 from Gannett Fleming notifying that XTO Energy is submitting a Water Management Plan amendment to the PA DEP for approval to purchase water from PA American Water Company at a new meter vault near the intersection of Reiber Road and Powder Mill Road. Information is on file at the Township Office.

Received letter dated February 7, 2013 from Rex Energy notifying that Permit Applications for Drilling or Altering a Well are being submitted to the PA DEP to amend the Baillie Trust Unit's 1H and 2H permits. The wells are located in Jackson Township. Information is on file at the Township Office.

Received letter dated February 11, 2013 from Rex Energy notifying that a Permit Application for Drilling or Altering a Well is being submitted to the PA DEP for Ceaser Unit 1H natural gas well located in Muddy Creek Township. Information is on file at the Township Office.

Received letter dated February 13, 2013 from Rex Energy notifying that a Permit Application for Drilling or Altering a Well is being submitted to the PA DEP for the Ceaser Unit 2H natural gas well located in Muddy Creek Township. Information is on file at the Township Office.

Received letter dated February 13, 2013 from Shell Exploration & Production Co. stating they are applying for well permits on the Renick property located in Center Township. Information is on file at the Township Office.

MOTION TO ADJOURN

Before closing the meeting, Steinheiser stated he had previously met Senator Vulakovich and gave him a letter stating the Township needed help finding funding for the traffic problem through the Rt. 68 corridor. Surprisingly, Steinheiser said the Township received a call this week from his office requesting more information. Steinheiser said he asked Bill Braun to prepare the project narrative for Senator Vulakovich. Bill Braun said he mailed it today.

Steinheiser motioned to adjourn the meeting at 8:39 p.m. to an Executive Session to discuss litigation concerning Lower Harmony guiderail damage. Steinheiser said the board would not return. Longdon, seconded. Roll call, yes.