

Connoquenessing Township's Supervisors Meeting was called to order by Chairman Terry Steinheiser at 7:00 p.m. on December 7, 2016 at the Connoquenessing Township Municipal Building. Present were Supervisors Terry Steinheiser, Ed Rupert and Ray Kroll. Also attending were Solicitor Andrew Menchyk, Jr., Engineer Bill Braun, Treasurer/Asst. Secretary Lee Kradel and Secretary/Asst. Treasurer Brenda Davis was present to take the minutes. The meeting opened with the Pledge of Allegiance and Prayer. Thirty-eight people signed in on the public sign in record on file.

Steinheiser opened the meeting by stating an **executive session** was held after the last supervisors meeting and the discussion involved hiring a new employee.

#### **REVIEW MINUTES**

Reviewed minutes of November 2, 2016. Steinheiser motioned to accept the minutes of November 2, 2016. Rupert seconded. Roll call, yes.

Steinheiser motioned to accept the Planning Meeting minutes for the month of October. Rupert seconded. Roll call, yes.

#### **FINANCIAL REPORT**

Lee Kradel reported the beginning balance in the General Fund is \$351,001.08 but after deposits of \$94,901.16 and checks in the amount of \$92,906.14 are approved tonight the ending balance will be \$352,996.10. Lee Kradel stated the Escrow account beginning balance is \$19,734.75 but after deposits of \$5,360.00 and checks in the amount of \$1,280.00 are approved tonight, the ending balance is \$23,814.75. Lee Kradel said the Highway Aide beginning balance was \$260,306.80 but with interest of \$10.70, the ending balance is \$260,317.50. Lee Kradel stated the Act 13 Impact Fee fund beginning balance is \$556,653.50 but with interest of \$45.75, the ending balance is \$556,699.25. Calvin Wonderly noticed both UPMC and Highmark were paid on the financial statement and questioned if the Township has two health insurance companies? Rupert stated the union has one insurance and the non-union has another. Mr. Wonderly asked, "which one is better"? Steinheiser stated that was a good question but said the union employees chose to stay with their original plan. Steinheiser motioned to approve the financial report and pay the bills. Kroll seconded. Roll call, yes.

Lee Kradel stated the 2017 proposed budget has been advertised and is on the bulletin board and available for public inspection for 20 days.

#### **COMMENT PERIOD (Three minute limit pertaining to agenda)**

Bob Cichra, resident on Boy Scout Rd., stated he knew alternatives were considered for the ACT 537 Plan such as Pump vs. Plant, Brandywine SFTF and BASA but questioned if any discussions were held with Forward Township? Mr. Cichra referenced a letter from 2005 from the DEP suggesting the local governments look at working together on their sewage disposal needs in a coordinated way. Mr. Cichra stated Forward Township does have a sewage authority board and the chairman is Steve Bueller. Mr. Cichra stated he would like this answered under the Engineers Report "update on Act 537". Secondly, Mr. Cichra stated the Connoquenessing Watershed Alliance is holding a reorganizational meeting at the Butler Public Library on December 14, 2016 at 6:00 p.m. Mr. Cichra mentioned Dave Lamperski who just passed away was a very important part of this organization relating to the sewage and environmental issues and this meeting is being held to help move forward with his absence. Steinheiser thanked Mr. Cichra for his time.

Calvin Wonderly directed a question to Mr. Menchyk, Jr. about the illegal sign on Rt. 68 that has been discussed for months and still has not been removed. Mr. Menchyk, Jr. stated a citation has been filed through the courts.

Calvin Wonderly also mentioned he thought Shannon Mills was to leave one lot open in their development to be used for a road access from Rt. 68 for emergency vehicles but did not hear this mentioned when they were approved to build the duplexes a few months back. Mr. Wonderly said Sonoma Valley was required to put a cul-de-sac in that goes out to a main road and feels Shannon Mills should have one also. Mr. Wonderly asked the board if they knew anything about this? Kroll stated he doesn't think Penn Dot would warrant them an HOP to access Rt. 68 since that intersection is so busy. Kroll told Mr. Wonderly the plan could be reviewed and if an access to Rt. 68 was on the plan, the board could make Shannon Mills come into compliance.

#### **REQUEST TO BE HEARD - three minute limit**

\*NONE\*

#### **OLD BUSINESS**

Brett Schultz from Weaver Master Builders, P.O. Box 449, Mars, PA was present representing Brandyone LLC, The Vineyards of Brandywine LP and Sonoma Valley Partners, LP. Mr. Schultz stated the three roads Brandywine Blvd., Silver Oak Dr. and Sonoma Valley Dr. were intended to be adopted by the Township as per the original land development plans. Mr. Schultz stated the process to get the roads ready for adoption started March 10, 2016 after meeting with Township on specifications the work

started approximately end of July and was completed by September 1<sup>st</sup>. Mr. Schultz stated other concerns such as the ADA ramps were completed after September 1<sup>st</sup>. Mr. Schultz said he has just been made aware of an 800 ft. section of curbing along Brandywine Blvd. that the Township requests to be installed. Brett Schultz read his letter to the board dated December 7, 2016. (Attached as Exhibit A) Mr. Braun asked what the width of Brandywine Blvd. is? Mr. Schultz stated 26 ft. Mr. Braun just wanted to note that to do the curbing, 3 ft. of the curb cartway would be lost. Kroll stated that would be fine because our ordinance only requires 20 ft. cartway. Kroll stated he would add to Mr. Schultz's attachment to add a tack coat and paint the notch. Kroll showed pictures of other areas needing sealed. Kroll mentioned the end of Brandywine where it meets Silver Oak Dr. needs sealed. Kroll said the pavers stopped and started a lot and those areas need sealed. Mr. Schultz noted that WesBanco has supplied the Township with almost \$90,000 in maintenance bonds and said he also had a check for over \$39,000.00 for the Sonoma Valley portion, to leave tonight to cover any work needing done. Steinheiser addressed the solicitor and engineer in questioning if the amount of bond was adequate? Mr. Braun said he would like to check the dollar amount of the curbing but the amount looked reasonable. Mr. Braun said some signs may not meet PennDot specifications and need replaced. Kroll said the three things he sees needing done is the curb, signs and sealing. Mr. Menchyk, Jr. stated he feels we are on track to adopt at the January 3, 2017 meeting. Mr. Menchyk, Jr. stated he has been in contact with Weaver Master Builders attorney and feels he is on board with the maintenance bond, improvement bond, curbing, sign and sealing issues. Mr. Menchyk Jr. stated the cost estimate may change after Mr. Braun's review. Mr. Schultz stated he received this estimate from Shields Paving and should be close. Mr. Schultz said the signage in Brandywine was custom made and questioned if they needed all ripped down and replaced with PennDot approved signs? Mr. Braun stated only the regulatory signs need to be PennDot approved. Kroll told Mr. Schultz that PennDot will have to approve the signage because that is the only way the Township receives our liquid fuel money. Kroll stated Dick Knapko from PennDot has been at Brandywine twice and mentioned the ADA ramps and sealing. Kroll also stated the paving samples were delivered to Mr. Knapko to be tested to ensure the mix met PennDot specs. Kroll told Mr. Schultz to reference PennDot book for signage regulations. John Stokes, resident of Brandywine, questioned if the street name signs would be replaced that are on the same post as some stop signs? Bill Braun stated there may need to be two separate posts. Calvin Wonderly, resident of Brandywine, said some stop signs are already PennDot signs. Mr. Schultz requested the board approving Bill Braun to meet him there again to finalize what all needs completed. Mr. Schultz also asked the board if he could contact Mr. Menchyk, Jr. To discuss the improvement bond amount? Mr. Menchyk, Jr. stated he is duty bound to only discuss with Weaver Master Builder's counsel. A resident asked what would happen if the paving mix doesn't meet specs? Kroll said we couldn't move forward with adoption, the road would need milled and re-paved. Mr. Pawlowicz asked why the street name signs shouldn't have to be like all the other ones in the Township? Steinheiser stated Bill Braun can look into that. Mr. Schultz and Bill Braun will meet at 10:00 a.m. on Friday, December 9, 2016 to address the curb situation and the signage. Kroll stated he would either attend or send Bill Chuba. The board, Bill Braun and Mr. Schultz agreed adoption is on target for January 3, 2017. Calvin Wonderly asked who will plow the roads until then? Mr. Schultz assured that Weaver will continue to maintain the roads until January 5, 2017. Mr. Wonderly also mentioned a slab he put in in 2004 at a curb to enable a wheelchair bound resident to get off the curb and it was removed and never replaced. Mr. Schultz and Bill Braun explained it was not ADA compliant and will not be replaced. Bob Cichra from Boy Scout road, questioned Kroll if the samples being tested by PennDot could prove the depth of the road at Brandywine is no good or is it just the surface that could not be good? Kroll stated it is just the surface, the depth is fine. In closing, Mr. Schultz thanked the board and asked if he should leave the \$39,000 check? Mr. Menchyk, Jr. told him to hold until next meeting.

#### **NEW BUSINESS**

\*NONE\*

#### **PLANS**

George White presented his Land Development Plan and showed the board the easement that was required to be put on the plan. George White submitted a written easement agreement created by him but Mr. Menchyk, Jr. stated that was not sufficient. George White stated he has no problem signing an easement agreement with the Township but since it is the Township requesting this he should not have to pay Mr. Menchyk, Jr. to prepare it. Mr. White stated this easement agreement should have been signed back in 2011 during his first land development and should not restrict him from getting this land development approved tonight so he can build his storage building. Steinheiser agreed the Township is the one who is requesting the easement and stated it must be shown on the mylar and the agreement will be drawn up by Mr. Menchyk, Jr. The board agreed that the Township would pay. Mr. Menchyk, Jr. told Mr. White that his wife must also be included in the agreement since she co-owns the property. Bill Braun noted that the easement width on the plan is only 10 ft. instead of the ordinance requirement of 20 ft. Kroll stated the 10 ft. width is sufficient. Rupert made a motion to approve George White's modification request of buffer at 201 Kriess Rd. is in compliance with Township as per June 1, 2016 supervisors meeting. Kroll seconded. Roll call, yes. Rupert motioned preliminary and final approval of George White's Land Development Plan contingent on George White signing easement agreement with the Township, drafted by Mr. Menchyk, Jr. Steinheiser seconded. Roll call, yes. Bill Braun noted no improvement bond is needed since there is only a building being built. Rupert said Mr. White stated at the Planning Meeting he was going to plant grass around the building and remove the gravel. Mr. White agreed. Mr. Braun stated that was for the purpose of keeping his new impervious area less than the 5,000 sq. ft. to meet the ordinance.

Don Dambaugh was present to ask the board to re-approve the Betty Kane/Don Dambaugh Lot Line Plan that was approved at the August 3, 2016 supervisors meeting with contingencies. Rupert stated the plan did not get recorded within the 90 days

because of a sewage issue but now Mr. Dambaugh showed the board where a second sewage area was dye tested and approved by Dave Ice so the plan now needs re-approved. Rupert made a motion to re-approve the Betty Kane/Don Dambaugh Lot Line Plan as preliminary and final since the 90 days had elapsed before the contingencies had been met. Kroll seconded. Roll call, yes.

#### **ENGINEER REPORT**

Bill Braun stated a letter dated December 2, 2016 was received from the DEP granting the Township's requested extension of time to submit the Act 537 plan. Mr. Braun stated the DEP stated they want the Township's final Act 537 Plan received by March 13, 2017. Bill Braun stated Dave Ice has completed the additional sewage surveys and this information will be incorporated into the Act 537 Plan. Mr. Braun stated he should be able to submit the revised report to the Township for the boards' review in January and then put out for public comment.

Bill Braun stated he had a Stormwater pre-application meeting at Honda North with Olsen & Associates, their engineer. Mr. Braun said they intend to fill in the above ground stormwater pond off of Kriess Rd. and replace it with an underground facility which will create more parking area and display area. Mr. Braun stated they are also going to put in another above ground stormwater facility on a different lot they own to retain the water east of their display area and also large enough to accommodate future development on that property. Mr. Braun stated they plan on presenting this Stormwater Plan with their Land Development Plan at the January supervisor meeting.

Bill Braun stated he inspected the Gilliland Rock Apron design requested at last month's meeting. Mr. Braun told Kroll the work was done very close to requirements, however it needed to be wider, longer and one size larger stone. Mr. Braun stated he has submitted a report to the board.

#### **SOLICITOR REPORT**

Mr. Menchyk, Jr. stated a letter dated November 7, 2016 was received from Butler County Planning Commission about a 2017 Community Development Block Grant Program available. Mr. Menchyk, Jr. stated the funds are available for capital projects exceeding \$10,000. Mr. Menchyk, Jr. stated the funds can be used for sewage/water improvements and could assist with our Act 537 Plan. Mr. Menchyk, Jr. stated the Township should apply. Mr. Menchyk, Jr. stated the only drawback is a project area has to be identified and the project area has to principally benefit 51 % or more low-moderate income person(s). After the board discussed, the board asked Mr. Menchyk, Jr. to contact Wendy Leslie, the Community Development Block Grant Administrator to see if we are eligible to apply for this grant.

Mr. Menchyk, Jr. mentioned the damaged utility pole at Rt. 68 and Whitestown Rd. intersection that was damaged by an accident on August 27, 2015 and said he had contacted the Penn National Insurance Company in reference to their client being responsible to pay the \$9,305.63 in damage. Mr. Menchyk, Jr. stated he received a letter stating they would pay if a release was signed releasing W.D. Wright (contractor), their client Scott E. Mitchell, II and Penn National Insurance Co. from any further liability. Kroll motioned to approve signing the release and accepting the payment of \$9,305.63. Rupert seconded. Roll call, yes.

Mr. Menchyk, Jr. mentioned receiving a written complaint from Baglier Buick concerning the neighboring property owner, Estle Harp. Mr. Menchyk, Jr. Noted the complaints listed involved: 1. unpermitted billboard, 2. storage trailer and 3. refuse in rear of property. Mr. Menchyk, Jr. suggested the board sending the code enforcement officer out to investigate. After board discussion, Steinheiser and Kroll would like to make an attempt to talk to both Mr. Baglier and Mr. Harp to see if they can work things out before going to the expense of sending the code enforcement officer. Steinheiser tabled the discussion until next month's meeting.

#### **CODE ENFORCEMENT REPORT**

Steinheiser motioned to approve invoice for November 2016 in the amount of \$73.05. Kroll seconded. Roll call, yes. Report in packets.

#### **ROAD MASTERS REPORT**

Kroll motioned to reject the bids for paving that were opened on June 1, 2016. Rupert seconded. Roll call, yes. Steinheiser stated the reason is because the well/gas companies were still using the roads this past summer and didn't want to pave and then have them damaged.

Kroll motioned to hire new road crew member Tim Manuel. Rupert seconded. Roll call, yes. Kroll stated three people were interviewed and road tested and Mr. Manuel stood out and is well seasoned for the job.

#### **BUILDING PERMIT REPORT**

Steinheiser stated there was one building permit applied for this month. It was:  
54-16 - Scott Meiser - Eagle Mill Rd. - addition & garage - 11/30/16

**TAX COLLECTOR REPORT**

Tom Pawlowicz mentioned the County taxes for 2016 are now in penalty so money is scarcely coming in.

Tom Pawlowicz stated the School District will stop collecting Per Capita taxes each December 31st and then turn over to the "Statewide" agency to collect. Mr. Pawlowicz asked the board to approve him to stop collecting on December 31st also., however mentioning that the Township would need an agency to collect. Mr. Pawlowicz supplied a summary of his collections for three years which showed a loss of \$41.84 in 2014, a gain of \$6.84 in 2015 and an estimated loss of \$3.84 in 2016. Mr. Pawlowicz stated he has the representative's name and phone number at "Statewide" and said they charge the taxpayer \$26.00 plus delinquent taxes owed and there is no charge to the school district. Mr. Pawlowicz suggested the township follow the school districts collection policy. Rupert stated the law only requires the tax collector to collect from January to December and file final settlement by January 31st of the next year. Rupert said he would like Mr. Pawlowicz to close and balance his books at the end of December and then turn over his reports to the Township by January 15th and then the supervisors can decide how to collect whether it be "in-house", Berkheimer or Statewide.

**SEO REPORT**

\*NONE\*

**EMERGENCY MANAGEMENT COORDINATOR REPORT**

\*NONE\*

**MOTIONS & GENERAL INFORMATION**

Rupert motioned to refund \$50.00 sewage escrow to James Bier. Kroll seconded. Roll call, yes.

Kroll motioned to refund \$50.00 sewage escrow to Christopher Panian. Rupert seconded. Roll call, yes.

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

Received thank you note from "Meals on Wheels" for our donation of \$1,200.00.

End of year meeting has been set for December 29, 2016 at 6:00 p.m.

Received letter dated October 21, 2016 from Rex Energy to notify that Permit Applications for Drilling or Altering a Well are being submitted to the PA DEP for the Kern Unit's 5H and 7H natural gas wells located in Center Township. Information is on file at the Township office.

Received letter dated November 9, 2016 from Gannett Fleming stating Mountain Gathering proposes to construct a natural gas gathering pipeline in Connoquenessing, Franklin and Center Townships and is submitting General Permit applications to the PA DEP for authorization under GP-5 (Utility Line Stream Crossings) and GP-8 (Temporary Road Crossings) under the Oil & Gas Management Program. Information is on file at Township office.

Received letter dated November 21, 2016 from Gannett Fleming stating Mountain Gathering, LLC proposes to construct the Isaacs to Lesney Gas Pipeline in Center, Franklin and Connoquenessing Townships and notifying their intention to submit to the PA DEP an application for an Erosion and Sediment control General Permit (ESCGP) under the Oil & Gas Management Program. Information is on file at the Township office.

Received letter dated November 30, 2016 from RETTEW to notify that ETC Northeast Pipeline, LLC intends to submit a Pennsylvania Code, Title 25, Chapter 105 General Permit Registration Package to the Butler County Conservation District for the Constellation to Breakneck 24" Pipeline Project No. 095342054. Information is on file at Township office.

Steinheiser was motioning to adjourn the meeting when Roy Gilliland asked if there is any time frame on correcting the rip rap on his easement in refence to the rock apron design? Steinheiser stated this should have been asked during the comment period. Mr. Gilliland said he would plug it.

**MOTION TO ADJOURN**

Rupert motioned to adjourn to an executive session at 8:25 p.m. to discuss legal claims and litigation issues and stated the board would not return. Kroll seconded. Roll call, yes.

Exhibit A- 4 Pages

December 7, 2016

Connoquenessing Township  
102 Township Drive  
Renfrew, Pa. 16053  
Attention: Township Board of Supervisors

RE: Road Adoption of Brandywine Blvd

Dear Board of Supervisors:

In order to resolve the road dedication issue with Brandywine Boulevard, the developer(s) are willing to undertake the following additional work and security in exchange for the Connoquenessing Township Board of Supervisors accepting the dedication of Brandywine Boulevard, Sonoma Valley Drive and Silver Oak Drive by resolution at the Township Board of Supervisors meeting on December 6, 2016 or January 3, 2017:

- 1) The developer(s) shall cause to construct, at their expense, an 18" asphalt wedge curb along both sides of the Brandywine Boulevard cartway between approximate stations 7+25 to 16+00 for a distance of approximately 875 feet. Details of the curbing and location are attached as Exhibits A-1 and A-2. Curbing shall be completed no later than August 31, 2017.
- 2) The developer(s) will provide the Township a performance security to guarantee the completion of the curb improvements in amount equal to 110% of the completion costs. Attached as Exhibit A-3 is the opinion of probable cost to complete the curb improvements. Upon inspection and verification of completion by the Township engineer, the performance security will be released.
- 3) The developer(s) agree to provide the Township with a maintenance security guaranteeing the workmanship of the curb improvements in an amount equal to 15% of the cost of the improvements for a term of 18 months at the time of the Township's release of the performance security.

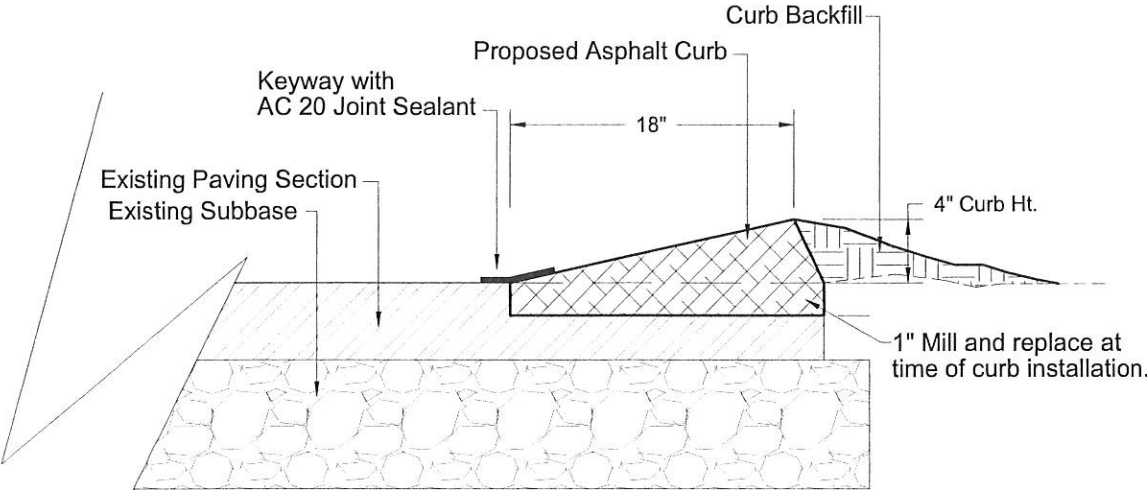
If you have any questions, please contact me at 412-527-8331.

Thank You,



Brett J. Schultz, Vice President of Land Development  
Weaver Master Builders Inc.





Brandywine Boulevard  
Curb Addition - Sta. +/- 7+25 to 16+00

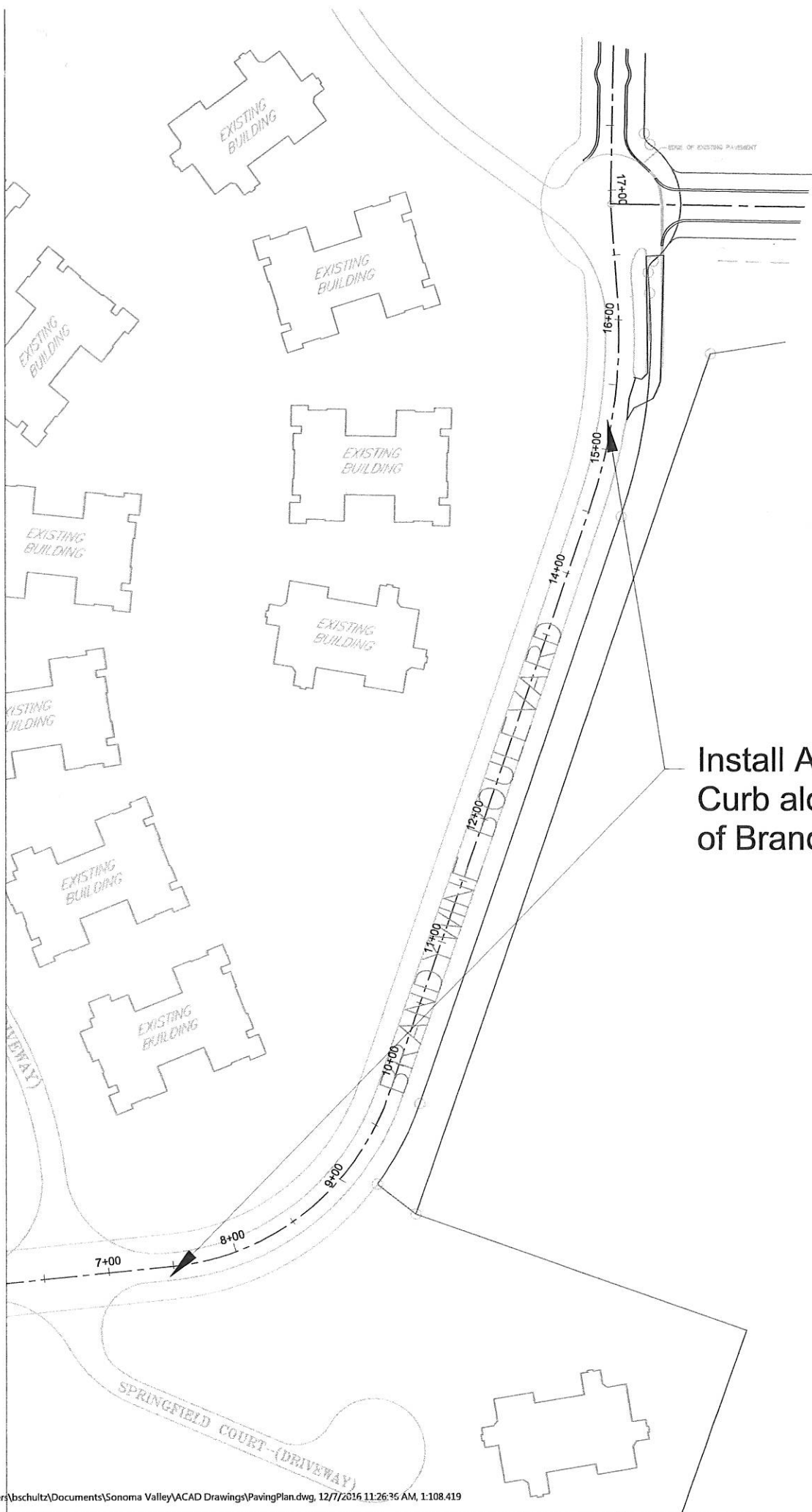
**Construction Notes:**

- 1) Mill 18" from edge of existing pavement to a depth of 2".
- 2) Install hand placed 18" wide/ 4" effective height curbing on top of binder course.
- 3) AC 20 sealant to be applied at the curb seam.
- 4) Backfill, seed and mulch curbing as required, noting curb may be higher in than adjacent sidewalk in some locations.
- 5) Field adjustment may be necessary to direct or permit water flowing along curbline to enter existing inlets.
- 6) Field adjustment to existing dog ear inlets to permit water to enter may occur.
- 7) Detail applicable to Brandywine Blvd, road stations +/- 7+25 thru 16+00 for both sides of road, or as directed.
- 8) Field coordination will be required between contractor and township staff, engineer and/ or public works department.
- 9) Work area is generally described on the attached plan.

Agreed this \_\_\_\_\_th day of \_\_\_\_\_, 201\_

\_\_\_\_\_  
Developer

\_\_\_\_\_  
Connoquenessing Township



Install Asphalt Wedge Curb along this Portion of Brandywine Blvd.

Brandwine Boulevard - Curb Additions

Exhibit A-3

Station 7+25 thru 16+00 +/-

	Qty	Unit	U/P	Ext.
Mill Existing Asphalt, Install Wedge Curb and Seal	1700	LF	\$ 5.00	\$ 8,500.00
Backfill Curb	1700	LF	\$ 1.00	\$ 1,700.00
Seed and Mulch Behind Curb	5100	SF	\$ 0.20	\$ 1,020.00
Total Cost				\$ 11,220.00
10% Contingency				\$ 1,122.00
Total Estimate Amount				\$ 12,342.00