

Connoquenessing Township's Supervisors Meeting was called to order by Chairman Terry Steinheiser at 6:00 p.m. on July 5, 2023 at the Connoquenessing Township Municipal Building. Present were Supervisors Terry Steinheiser, Larry Spangler and Ricky Kradel. 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. Twenty-three people signed in on the public sign in record on file. The meeting opened with the Pledge of Allegiance and Prayer.

ANNOUNCE WHO IS RECORDING MEETING

Steinheiser asked who was recording the meeting. Two replied which included Brendan Linton and Terry Steinheiser.

EXECUTIVE SESSION ANNOUNCEMENTS

Steinheiser stated the Supervisors met at 5:30 p.m. before the June 7, 2023 Supervisors' Meeting to consult with the Solicitor involving possible litigation.

Steinheiser stated the Supervisors met immediately after the June 7, 2023 Supervisors' Meeting to consult with the Solicitor involving possible litigation.

Steinheiser stated the Supervisors met immediately after the June 14, 2023 Ag Security special meeting to consult with the Solicitor involving possible litigation. Steinheiser stated he did not attend the June 14, 2023 meeting.

REVIEW MINUTES

Reviewed minutes of June 7, 2023 and June 14, 2023 Ag meeting. Spangler motioned to accept the June 7, 2023 supervisors meeting minutes. Kradel seconded. Roll call, yes. Kradel motioned to accept the June 14, 2023 Ag meeting minutes. Spangler seconded. Roll call, yes.

FINANCIAL REPORT

Lee Kradel reported the beginning balance in the General Fund is \$401,063.23 but after deposits of \$44,101.88 and checks in the amount of \$61,655.36 are approved tonight, the ending balance will be \$383,509.75. Lee Kradel stated the beginning Escrow account balance is \$17,354.00 but with no deposits and checks in the amount of \$260.00 being approved tonight, the ending balance will be \$17,094.00. Lee Kradel said the Highway Aide beginning balance is \$242,238.40 with interest of \$9.96, the ending balance is \$242,248.36. Lee Kradel stated the Act 13 Impact Fee fund beginning balance was \$487,849.09 but with interest of \$1,503.64, the ending balance is \$489,352.73. Lee Kradel said the Act 13 CD balance remained at \$743,678.80 for a grand total of \$1,233,031.53. Lee Kradel stated the American Relief Plan had a beginning balance of \$417,642.86 but with interest in the amount of \$1,287.26 the ending balance is \$418,930.12. Lee Kradel noted the annual installment of the Act 13 funds in the amount of \$306,608.10 were received July 1st but not on financial statement because amount was received by check instead of requested direct deposit and said deposit will show on next month's report. Budget amendment resolution #3-23 was on agenda to recognize the \$306,608.10 received from Act 13 on the 2023 budget but overlooked. Item to be placed on August 2, 2023 agenda. Lee Kradel also stated the ARP funds will be moved to the general funds account because it has been reported being spent for general services, payroll and salaries which the auditors suggested the Township to do and since it was used for general government services, up to 10 million dollars can be moved to the general account. Spangler motioned to accept the financial report and pay the bills. Kradel seconded. Roll call, yes. Spangler motioned to move the ARP funds in the amount of \$418,930.12 to the General Fund. Kradel seconded. Roll call, yes.

COMMENT PERIOD - Three minute limit (PERTAINING TO AGENDA)

Susan Coen read a statement in support of the work being done by the CTSA board and stated it appears to her that the township supervisors are doing things that stand in the way of the CTSA board making progress. Ms. Coen asked the supervisors why they are not working with the authority who they appointed to study and recommend solutions to the sewer concerns of the township. Steinheiser thanked Ms. Coen for her comment.

Carol Christner questioned the Solar and Wind Farm ordinance the supervisors will discuss later and stated Butler County will be updating theirs on July 19th and feels the supervisors should not approve the draft tonight before they review the County one. Mr. Menchyk, Jr. said the one tonight is just for the township and is a large scale solar and wind ordinance. Lee Kradel stated the Butler County ordinance was used by our planning commission for guidance only. Mr. Menchyk, Jr. stated the ordinance is on the agenda tonight to be advertised. If the supervisors vote to advertise then the ordinance will be available to the public to review and make comments.

Fred Hensel questioned a building permit listed in Napa Court for a cement slab and stated Brandywine was unaware of this and would like further information. Secondly, Mr. Hensel questioned the Bureau of Elections moving forward with dividing Connoquenessing Township into two precincts and holding one of the polling locations here at the township. Mr. Hensel thought Steinheiser was against this and stated it is unsafe for voters to turn onto Stevenson Rd. from Rt. 68. Mr. Hensel wants the supervisors to stand their ground and not let the township building be a polling location. Lastly, Mr. Hensel said solar & wind farms are too expensive and the ones he has seen are only running at 25% capacity. Kradel said the supervisors aren't for or against solar & wind farms, the township is just making an ordinance so if they come into the township, the township has say on how it is done. Mr. Hensel requests the township not allowing solar or wind farms. Mr. Menchyk, Jr. stated that is not allowed.

Susan Coen asked what the difference is between "Comment Period (pertaining to agenda)" and "Request to be Heard" sections on the agenda. Steinheiser stated anyone can comment under comment period if it pertains to what is listed on the agenda. Lee Kradel stated a resident has to call in to be under the "Request to be Heard" section and can talk about whatever they want. Ms. Coen asked if the "Comment Period" could be moved to the end. Mr. Menchyk, Jr. stated it has to be before any action is taken at the meeting and a requirement of the Sunshine Act.

BIDS

Steinheiser stated the Rotary Mower bids were tabled at last month's meeting but before awarding them tonight he has allowed one of the bidders, Stephenson Equipment (SEI) representative Bill Shaw update again on what his product has to offer. Mr. Shaw questioned whether the Township is sure they are getting everything for a savings of \$2,000 from other bidder. Mr. Shaw asked if they included the cost of removing the mower (\$2,500), discussed the travel safety lock into tire, location of valving (4-6 feet off ground), on & off switch for boom mower and stated SEI will have "parts availability". Kradel stated he has reviewed each bid and he feels they are identical. SEI Diamond bid was \$67,900.00 and Mowmaster bid by U.S. Municipal is \$65,913.00. Kradel stated U.S. Municipal is removing the mower (\$2,500) and equipment does have a safety switch. Kradel feels the Mowmaster is a quality machine and prefers to save the money. Steinheiser stated he would like to go for the best safety options and availability of parts. Spangler stated that Kradel has studied the bids and agrees with him to get the Mowmaster. Spangler made a motion to purchase the Mowmaster for \$65,913.00. Kradel seconded. Roll call, Spangler, yes; Kradel, yes; Steinheiser, opposed. Mr. Shaw thanked the board for his opportunity to speak.

EMERGENCY MANAGEMENT COORDINATOR REPORT

NONE

REQUEST TO BE HEARD - three minute limit

Brendan Linton stated he liked the response of the supervisor letter to the DEP and mentioned the last section where it stated the supervisors may take their own action in determining the path of sewage. Mr. Linton stated the Act 537 plan is the responsibility of the board and feels it is time for the 3 supervisors to take charge. Mr. Linton feels the Sewer Authority is doing a poor job and they need to have an engineer running the bus. Mr. Linton stated HRG Engineering has already done the second opinion and now the Sewer Authority is doing a second opinion on the second opinion. Mr. Linton feels the Township is wasting time and money. Mr. Linton stated the Sewer Authority is currently trying to spend County grant money that was applied for to finalize the design engineering for implementation of the approved Act 537 plan, not to re-write the plan. Mr. Linton suggests the Township get an engineer on staff to move the current plan, or minor revisions plan, forward before legal action is taken by the DEP.

OLD BUSINESS

Maggie Weitzel from GD&F Engineers representing PAWC and Duane McKee from BASA were present requesting a resolution from the township to adopt their Final Act 537 Plan. Mr. McKee said copies were mailed to the township to review and need this resolution adopted as the last step in the DEP adopting their BASA Act 537 Plan as a PAWC Act 537 Plan. Mr. McKee stated there is no growth shown in this process, just changing assets to PAWC. Mr. Menchyk, Jr. stated he was aware of two municipalities that were fighting the sale of BASA to PAWC and wanted to know the impact on Connoquenessing Township if they did not sign. Ms. Weitzel stated they would submit the information to DEP and if DEP still feels the plan is financially good and accept it they may come back to the municipalities that don't want to sign with PAWC and have them provide sewage to the residents previously on BASA. Steinheiser asked why it needs approved tonight? Mr. McKee said it just keeps everything moving so if the PUC allows PAWC to purchase BASA then all documents will be in order. Mr. Menchyk, Jr. stated the board could table for further review. Spangler preferred having more time to review documents. Ms. Weitzel asked what more information they needed. Kradel said he would like to see it progress through the courts, he feels it is too premature to sign. Steinheiser agreed. Lee Kradel asked what the differences are between the first draft presented and this final draft. Ms. Weitzel said all comments from all Planning Commissions and one public comment from the community was received and BASA's responses are in the final draft. Also, the timeline schedule has been updated. Brenda Davis asked if PAWC can still buy BASA even when some municipalities object? Ms. Weitzel stated, "yes". Mr. Menchyk, Jr. stated the courts can overrule the objections and let the sale go through. Steinheiser tabled stating board needs more time to review.

NEW BUSINESS

Steinheiser stated the supervisors had questions for CTSA chairman, Lambert Rosenbaum. Lambert Rosenbaum stated he did not know he was put on the agenda so did not prepare to answer but would do his best. Kradel asked where CTSA is going. Mr. Rosenbaum stated he does not know yet, waiting on the engineer. Mr. Rosenbaum requests the board put their questions in writing to the CTSA board so they can get their engineers professional answer. Mr. Rosenbaum stated the CTSA board and Township supervisors are a team and we need to get this right. Mr. Rosenbaum said if the supervisors don't trust the CTSA board, please take back control of the ACT 537 Plan. Steinheiser stated he listened to the last CTSA board meeting and nothing pertinent about any plans were discussed. Steinheiser stated with the other supervisors approval, he would like to put a PE on retainer for the Township to review any CTSA board plans presented. Mr. Rosenbaum also asked the supervisors to let the CTSA board know ASAP if they are not in favor of a suggested plan. Mr. Rosenbaum discussed how the current Act 537 Plan is not affordable. Steinheiser said we need a 30-50 year plan that is affordable and fundable. Mr. Rosenbaum agreed. Kradel feels the approved plan in 2019 can not just be thrown out. Mr. Rosenbaum stated he has informed their engineer that the footprint needs reduced, must be at least a 30 year plan, fundable and affordable and stated Tomisa Kiskadden from the DEP said she approves of a smaller footprint.

Mr. Rosenbaum stated the CTSA board has asked Gibson Thomas to revisit sewer lines to Saxonburg Authority per supervisors request but they will review former information and price using pressure sewers. Mr. Rosenbaum said Tomisa Kiskadden is willing to look at a plan that just meets the needs. Mr. Rosenbaum commented on 29 pink slips he said of sewage issues but only 2 were real problems. Mr. Rosenbaum said this shows him that the needs were not that large. Mr. Rosenbaum mentioned asking Forward Township what they are doing about their sewer. Mr. Rosenbaum stated they are not taking any action. Mr. Rosenbaum told them if they would join the township the costs would go down for all. Mr. Rosenbaum stated they said "nope". Lee Kradel said those 29 pink slips are not all inclusive, those only covered 10 years and the sewage problems in the Act 537 Plan that the SEO surveyed were failed, possible fails or suspected fails are not included in this because they did not have an application (pink slip). Mrs. Kradel stated these reports were back in 2016 and who knows what other failures could have happened in the last 7 years. Spangler said he read in CTSA letter that options for the plan will be ready in September. Mr. Rosenbaum said that is when Gibson Thomas stated they will be ready for supervisor review.

Spangler motioned to approve the renewal of 3 webpage domain names in the amount of \$45.08. Kradel seconded. Roll call, yes.

PLANS

NONE

ENGINEER REPORT

Bill Braun stated the contractor bids for the Lower Harmony Rd. culvert are due Friday which he will open and let supervisors know amounts. Mr. Braun stated PA American needs to move a water line before this can start. Mr. Braun told Lee Kradel that this grant is reimbursable so the Township will have to pay the hefty invoice from the contractor up front and then request reimbursement.

Bill Braun stated he has discussed getting the culvert pipe with Lane Enterprises through costars. He discussed they have the shop drawings but there was a question on the span of the culvert if it could be 19 ft. DEP did approve 19 ft. Mr. Braun stated if over 20 ft., the state would need to inspect every two years which Mr. Braun stated would be extra expense. Kradel motioned to order pipe from Lane Enterprises in the amount of \$52,198.92 after Mr. Braun's final review of the invoice and shop drawings. Spangler seconded. Roll call, yes. Steinheiser asked Mr. Braun the lead time. Mr. Braun estimated 8-12 weeks.

SOLICITOR REPORT

Mr. Menchyk, Jr. mentioned that Church Hill Rd. is located in Connoquenessing and Lancaster Township's. Currently, the Township calls it Church Rd. but wishes to conform to Church Hill Rd. because residents use Church Hill Rd. as addresses and Lancaster Township refers to it as Church Hill Rd. In addition, changing this would make the PennDot maps uniform for both Townships. Kradel motioned to advertise ordinance #101-23 for PennDot road name change of Church Rd. to Church Hill Rd. Spangler seconded. Roll call, yes.

Mr. Menchyk, Jr. stated the response letter to the DEP in reference to their "Notice of Violation letter" to the Township was mailed on June 16, 2023. Mr. Menchyk, Jr. stated it comprised of a letter from the Township and the CTSA board with the assistance of their solicitor. Mr. Menchyk, Jr. stated there were many facts submitted and hopes the letter will suffice in addressing the DEP's request.

Mr. Menchyk, Jr. stated the draft ordinance of the Solar and Wind Energy is before the board. Mr. Menchyk, Jr. stated our Planning Commission recommended changes to the ordinance and he has reviewed and made other revisions. Mr. Menchyk, Jr. stated if the board chooses to advertise, the public

can comment and then brought back next month for possible adoption. Kradel motioned to advertise the Solar and Wind Energy ordinance. Spangler seconded. Roll call, yes.

CODE ENFORCEMENT REPORT

Spangler motioned to approve invoice for June 2023 in the amount of \$365.59. Kradel seconded. Roll call, yes. Report in packets.

ROAD MASTERS REPORT

Kradel stated all roads previously tarred & chipped last year were seal coated by Youngblood Paving and Shields Paving will tentatively pave Whitestown Rd. Ext. starting July 17, 2023.

Road superintendent report for June were in packets.

BUILDING PERMIT REPORT

Steinheiser stated there were ten building permits applied for this month.

They were:

- 27-23 - Daniel Heathcote - Boy Scout Rd. - shed - 6/8/23
- 28-23 - Raymond Melder - Jacobs Ln. - awning - 6/5/23
- 29-23 - Joseph Corrado - Reiber Rd. - garage - 6/9/23
- 30-23 - James Gregor - Lower Harmony Rd. - garage - 6/9/23
- 31-23 - Charles Ball - Napa Ct. - patio slab - 6/13/23
- 32-23 - Alan Fry - Prospect Rd. - pole barn - 6-14-23
- 33-23 - Charlotte Wright - Boy Scout Rd. - deck - 6/20/23
- 34-23 - Ralph Warheit - Eagle Mill Rd. - deck - 6/21/23
- 35-23 - Joel Gordon - Dick Rd. - pool - 6/27/23
- 36-23 - Richard Franke - New Castle Rd. - addition - 6/27/23

TAX COLLECTOR REPORT

NONE

SEO REPORT

NONE

MOTIONS & GENERAL INFORMATION

Steinheiser stated the below was on the agenda for information.

All Saints Parish will have their 2nd annual Twilight 5K and 1-mile Fun Run on Buttercup Rd. July 28th
Road will be one lane between 6:00 p.m. - 8:30 p.m.

Fred Hensel asked if the board could contact the Election Bureau to let them know they are not in favor of the 2nd polling site at the Township Building. Steinheiser asked Mr. Menchyk, Jr. to draft a letter stating this to the Election Bureau.

MOTION TO ADJOURN

Spangler motioned to adjourn at 7:15 p.m. to an executive session to discuss possible litigation and stated the board would not return. Kradel seconded. Roll call, yes.