

Connoquenessing Township's Supervisors Meeting was called to order by Chairman, Terry Steinheiser at 7:00 p.m. on August 7, 2013 at the Connoquenessing Township Municipal Building. Present were Supervisors Terry Steinheiser and Scott Longdon. Jack Kaltenbaugh was not present. Also attending were Solicitor Andrew Menchyk, Jr., Treasurer Lee Kradel and Secretary Brenda Davis was present to take the minutes. Bill Braun, Engineer, did not attend. Sixteen people 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 July 3, 2013. Longdon, seconded. Roll call, yes.

### **FINANCIAL REPORT**

Lee Kradel reported the beginning balance in the General Fund is \$350,316.83 but after total deposits of \$76,021.65 and checks of \$51,698.74 are approved tonight the ending balance will be \$374,639.74. The Escrow account beginning balance was \$28,196.00 but after deposits in the amount of \$1,400.00 and a check in the amount of \$75.00, the ending balance is \$29,521.00. Lee Kradel said the Highway Aide beginning balance was \$169,692.98 but with interest of \$9.47, the ending balance is \$169,702.45. Lee Kradel stated the Act 13 Impact Fee fund beginning balance is \$205,695.92 but with the 2012 Act 13 deposit of \$160,150.52 and interest of \$45.67, the ending balance is \$365,892.11. Steinheiser motioned to accept the financial report and pay the bills. Longdon, seconded. Roll call, yes.

Lee Kradel stated the Township received 2012 Act 13 money and needs to adopt a resolution #4-13 to amend the 2013 budget. Steinheiser motioned to adopt Resolution #4-13 for budget amendment to 2013 budget to recognize \$160,150.52 Act 13 fees. Longdon, seconded. Roll call, yes.

### **COMMENT PERIOD**

\* NONE \*

### **OLD BUSINESS**

Steinheiser discussed the reason a modification/amendment is needed to our recently adopted Sign Ordinance. Steinheiser stated the new sign ordinance was put in place to have more rules about Billboards but also limited regular businesses from having more than two signs.

Therefore,

the solicitor and engineer are working on basing the number of signs permitted on the outside walls of the building on the size of the building and signs must face a public highway. Mr. Menchyk, Jr. used the example of a car dealership coming in after the sign ordinance was adopted and was not permitted 3 signs on the building, which the board then realized the ordinance was too strict and asked Bill Braun to come up with the number of signs permitted based on the square footage of the building. Longdon stated the main reason the sign ordinance was amended in the first place was to avoid the need for modification in front of the board, but the billboard section was not restrictive enough. Steinheiser made a motion to advertise the sign ordinance amendment. Longdon, seconded. Roll call, yes. A gentleman in the audience asked

Steinheiser if there were copies of the old sign ordinance and new amended one he could see?  
Steinheiser said they are public records and anyone is welcome to request them from the office.

### **NEW BUSINESS**

\*NONE\*

### **REQUEST TO BE HEARD**

Ralph Perilli from "Power Up Equipment" stated he is trying to acquire the old Nissan dealership and wants to make sure he can run his type of business there and make sure he is in full compliance with the Township. Mr. Perilli mentioned both buildings (Baglier Mazda) and the previous Nissan dealership share the same stormwater retention pond and sewage system and explained that when Mr. Baglier bought the old Honda dealership, an easement was left in place that the previous Nissan building could use them but the agreement will expire in 3 years. Mr. Perilli told the board he has an agreement in place with Mr. Baglier to allow his business to share the stormwater and sewage until public sewage comes into the area. Mr. Perilli also stated he has met with Mike Grill, commercial building inspector, and stated Mr. Grill is ready to issue him an occupancy permit. Mr. Perilli wants to be assured there is no "zoning" issues the Township would have against his sales/service business of selling power equipment. Mr. Steinheiser stated he welcomes business moving into our Township and adding jobs. Mr. Steinheiser told Mr. Perilli to supply a copy of the agreement between Mr. Baglier and himself to our solicitor, Andrew Menchyk, Jr. to review. Mr. Menchyk, Jr. told Mr. Perilli there is no zoning in the Township, however if further land development is done such as adding a new building or causing more impervious land being disturbed, etc., he would have to apply to the Township for permits. Mr. Perilli also let the board know that he is planning on keeping a nice looking place of business. Mr. Steinheiser closed by telling Mr. Perilli he was glad to see him moving forward.

Mr. Wabiszewski from "Contemporary Foundations" updated the board that he has decided to purchase the "Seibel Auto Sales" building at 1033 Evans City Rd. Mr. Wabiszewski said he decided to use the land just the way it is. Mr. Wabiszewski said he will be putting in less fence than originally planned. Longdon stated he was 100% okay with this because he is purchasing property already there and the Township doesn't have a fence ordinance in place. Mr. Wabiszewski thanked the board for their time.

Dennis and Karen Detar were on the agenda but did not attend.

### **COMPLAINT**

Steinheiser stated a written complaint was received concerning an abandoned vehicle sitting at 121 North Ridge Drive. Steinheiser told Brenda Davis to let Leyne Lokhaiser know to go out and investigate.

### **PLANS**

\*NONE\*

### **ENGINEER REPORT**

Steinheiser stated Bill Braun was not in attendance tonight but Mr. Braun had written two letters recommending both Verizon Wireless and Weaver Master Builders (Sonoma Valley) requests for release/reduction of bonds. Steinheiser made a motion to release Verizon Wireless bond for cell tower at Farm Show in the amount of \$44,000. Longdon, seconded. Roll call, yes.

Secondly, Steinheiser made a motion to reduce Weaver Master Builders (Sonoma Valley's) letter of credit by \$92,926.46 for a revised amount of \$1,400,189.34. Longdon, seconded. Roll call, yes. Tom Pawlowicz questioned what all is going on over there with the noise and dust flying? Longdon stated they are building a new housing development and have already sold one unit. Tom Pawlowicz asked if the Township monitors what they are doing? Longdon stated, "no, but if the Township receives a complaint, we would investigate".

### **SOLICITOR REPORT**

Steinheiser said he wants to discuss establishing fees for on-site sewage system complaints. Steinheiser stated people can create problems by reporting a sewage complaint on a landowner which costs the landowner and Township money to prove whether there is a sewage problem but currently doesn't cost the complainant anything. Therefore, Steinheiser would like to adopt a resolution to charge \$50.00 for filing a sewage complaint with the condition if the sewage complaint is found to be valid, the \$50.00 will be returned to the complainant. Steinheiser stated if the complaint is not valid, the money will be sent to the landowner to help pay our SEO for his inspection. Steinheiser feels putting this in place will eliminate one person complaining for no reason whatsoever. Tom Pawlowicz feels the SEO could go out and not find anything because a dry spell set in but there could still be a problem. Steinheiser disagreed stating he feels the SEO will find if there is sewage problem. Mr. Pawlowicz told Steinheiser he can't guarantee there is no sewage problem and feels this is discouraging residents with a sewage complaint to complain. Steinheiser gave an example that if he wanted to tell the Township that all his neighbors were dropping sewage onto his property, the Township would have to act and cost the landowners money for no reason. Steinheiser told Mr. Pawlowicz if someone has a legitimate complaint, the money will be refunded. Steinheiser said this will eliminate conflicting neighbors from turning someone in just because you don't like their dog or how the neighbors park their car, etc. Longdon said the Township gets drug into neighbor disputes and this will help eliminate frivolous complaints. Mrs. Sharon Pawlowicz asked if a complaint was found to be negative but the person wanted to complain about it again later, would another \$50.00 be charged per complaint? Steinheiser said, "yes". Mr. Pawlowicz asked how many frivolous complaints the Township has received. Steinheiser said the office girls have the records if he'd like to see, but he knows of two recent landowners that one neighbor complained about and both tested negative but cost the landowner and Township money to inspect. Dorothy Onufer questioned the board if other complaints will be charged a filing fee. Longdon stated, "no" because the difference is if the Township gets a sewage complaint, the landowner has to pay our SEO to investigate, however if someone complains about a junk car sitting, the Township sends the Code Enforcement Officer out to investigate and the resident doesn't get charged. Evelyn Hockenberry questioned if a fee will be charged to a resident questioning the sewage of a Small Flow Treatment Facility? Steinheiser said, "no", they still are

in an agreement and must be tested. Steinheiser said this has nothing to do with that. Tom Pawlowicz mentioned a complaint on the agenda of an abandoned car that the Township will have to pay to send the Code Enforcement Officer out on. Steinheiser said, "yes" but the landowner doesn't have to pay, that is the difference. Tom Pawlowicz asked to state in the minutes that he is totally against charging this fee. Longdon made a motion to adopt Resolution #5-13 to charge \$50.00 for sewage complaints and to approve using the new Sewage Complaint Form provided by Andrew Menchyk, Jr. Steinheiser, seconded. Roll call, yes.

### **CODE ENFORCEMENT REPORT**

Steinheiser motioned to approve invoice in the amount of \$202.48. Longdon, seconded. Roll call, yes. Report in packets.

### **ROAD MASTERS REPORT**

Longdon mentioned the road crew has been mowing banks and finished the sides and roof on our new equipment building and installed a man door. Longdon also noted the men are keeping the catch basins clean and patching potholes.

Longdon noted that XTO came back and fixed Smith Road, therefore London motioned to release XTO's bond on Smith Road - .4 mile from Township line to Powder Mill Road. Steinheiser, seconded. Roll call, yes,

Longdon said the road crew is currently discussing fixing Reiber and Kriess Roads draining problems. Longdon said a possible plan is to install 5 catch basins with one placed right across from the Butler Township line. The plan is to pipe all the water underground to the creek. Mrs. Klink, resident, asked Longdon how far he plans on going? Longdon stated the men will start at the Wagner driveway at 188 Reiber Road and go to the corner of Kriess Road. In addition, Longdon stated they will put a catch basin on each side of Kriess Road at the intersection.

Longdon mentioned the hopper currently needs \$4,500.00 in repairs and noted purchasing a new hopper would be \$12,000.00. Longdon said he has been looking into purchasing a tailgate spreader instead through Walsh Equipment for \$5,045.00 which is a CoStars price so the Township doesn't need to seek bids. Longdon said he would like to keep the old hopper for parts.

Longdon motioned to purchase model # SA6C tailgate spreader from Walsh Equipment for \$5,045.00. Steinheiser agreed with Longdon that it is better to purchase the tailgate spreader for 1/2 the cost of a new hopper. Steinheiser, seconded. Roll call, yes.

Road superintendent's report for month of July was in the packets.

Steinheiser went back to the Code Enforcement section and asked Mr. Menchyk, Jr. if there would have to be a motion to allow Leyne Lokhaiser to consult with him, if needed, on taking action against Darnell Martin and Ricky Bridges. Mr. Menchyk, Jr. said, "no". Steinheiser told Brenda Davis to let Mr. Lokhaiser know he can contact Mr. Menchyk, Jr.

### **BUILDING PERMIT REPORT**

Steinheiser stated there were twelve building permits applied for this month. They were:

Andrew Obringer - Whitestown Rd. Ext. - addition & garage  
 John Fair, Jr. - Hawk Dr. - addition  
 Carol Pawlowicz - Eagle Mill Rd. - modular home  
 Charles Bummer - Fassinger Rd. - garage  
 Catherine Bartoloni - Rolling Valley Ln. - mobile home  
 R.E. Erdley & Sons Constr. - Shannon Mills Dr. - home  
 David Carr - Evans City Rd. - shed  
 M. Carl Lesney - New Castle Rd. - modular home  
 Robert Vandevort - Eagle Mill Rd. - deck  
 Thomas Barnett - Meadow Dr. - mobile home  
 Thomas Schmitt - Andy's Ln. - inground pool  
 Paul Jedlicka - Prospect Rd. - garage

### **TAX COLLECTOR REPORT**

Tom Pawlowicz stated since the new tax cards were just mailed, not much money is coming in.

### **SEO REPORT**

Steinheiser stated the final sewage inspection for Eric Pawlowicz is complete.

### **EMERGENCY MANAGEMENT COORDINATOR REPORT**

Longdon stated he did attend the mandatory local level incident management training mentioned last month.

### **MOTIONS & GENERAL INFORMATION**

Steinheiser asked Lee Kradel to explain why we are refunding Habitat for Humanity escrow. Lee Kradel stated when Habitat for Humanity put their Small Flow Treatment Facility in they had to put up an escrow in the amount of 50% of the cost (\$11,000) but after two years of completion, they are entitled back everything but 10% of the cost (\$2,200.00) which the Township holds for the life of the system. Lee Kradel stated their CD just matured in the amount of \$11,560.87 leaving a refund due of \$9,360.87 with the Township retaining the \$2,200.00. Steinheiser made a motion to release SFTF escrow to Habitat for Humanity in the amount of \$9,360.87. Longdon, seconded. Roll call, yes.

Steinheiser stated PSATS has furnished the Township with a resolution asking Townships to support raising the monetary amount of the Prevailing Wage. Steinheiser stated when a contractor is bidding a job if the amount is over \$25,000, the contractor must pay their employee the Prevailing Wage which costs the taxpayers more. Steinheiser stated the PA Prevailing Wage Act is from 1961 and so many road paving projects are way more than \$25,000 causing the taxpayers to pay more for the job. Brenda Davis said the proposed amendment raises the limit to \$189,000. Steinheiser stated this amount would allow contractors doing jobs under

\$189,000 to pay their employees their regular rate instead of having to pay \$30-\$35 prevailing wage rates if left at the 1961 amount of \$25,000. Evelyn Hockenberry asked if their bids would be higher? Steinheiser thought the bids would actually come in lower. Longdon said once a project goes over \$25,000, they will have to pay their employees possibly 15-30% increase which is added to the job cost. Steinheiser said this is beneficial for the residents of the Township to agree to this resolution. Lee Kradel thinks more contractors would bid if the amount was increased. Steinheiser made a motion to adopt resolution #6-13 which agrees with PSATS on increasing the prevailing wage amount. Longdon, seconded. Roll call, yes. Hockenberry asked who makes the decision to change? Mr. Menchyk, Jr. said PSATS will petition the legislators and show them the support they have from Townships and the legislature will be the final decision maker.

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

Annual operating license applications have been mailed to our four mobile home parks. As they are received, Leyne Lokhaiser will go inspect and advise.

Received “notification of surface landowner/water purveyor of well drilling operation or alteration” from DEP for 2 wells in Forward Township. The well pads are Hixon Units 1H and 2H. Information for both are on file at Township office.

Received letter dated July 1, 2013 and July 11, 2013 from Civil & Environmental Consultants, Inc. to inform the Township on behalf of R.E. Gas Development, LLC is applying to the PA DEP for an ESCGP-2 permit for the Bloom Gas Well Project.

Received letter dated July 31, 2013 from Gateway Engineers on behalf of MarkWest to inform they are applying for coverage under the Erosion and Sediment Control General Permit (ESCGP-2) from the DEP. Project location is in Butler, Connoquenessing, Forward, Jackson and Penn Townships.

**MOTION TO ADJOURN**

Steinheiser motioned at 8:15 p.m. to adjourn to an executive session to discuss Western Pennsylvania Co. litigation. Steinheiser stated the board would not return. Longdon, seconded. Roll call, yes.