

Connoquenessing Township's Supervisors Meeting was called to order by Chairman, Terry Steinheiser at 7:00 p.m. on December 5, 2012 at the Connoquenessing Township Municipal Building. 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. Eighteen residents signed in on the public sign in record on file. The meeting opened with the Pledge of Allegiance.

### **REVIEW MINUTES**

Steinheiser made a motion to approve the November 7, 2012 minutes. Evelyn Hockenberry noted Longdon's last name was spelled wrong in at least 3 places. Steinheiser motioned to approve the November 7, 2012 minutes with Ms. Hockenberry's comments. Longdon, seconded. Roll call, yes. Minutes were revised with correct spelling of Longdon before filed in Minutes Book.

### **FINANCIAL REPORT**

Lee Kradel reported the beginning balance in the General Fund is \$317,096.72 but after total deposits of \$83,312.76 and checks of \$84,527.58 are approved tonight the ending balance will be \$315,881.90. Lee Kradel said the Escrow account beginning balance is \$61,421.00 but with deposits of \$3,760.00 and checks of \$8,792.00 being approved tonight leaves an ending balance of \$56,389.00. Lee Kradel stated the beginning balance in the Highway Aide account is \$25,869.37 but after interest of \$0.34, the ending balance is \$25,869.71. Steinheiser made a motion to approve the financial report and pay the bills. Kaltenbaugh, seconded. Roll call, yes.

Secondly, Lee Kradel noted the Township received the Act 13 monies. Steinheiser made a motion to confirm authority to open a new separate money market account for the Act 13 funds in the amount of \$205,486.68. Kaltenbaugh, seconded. Roll call, yes.

Thirdly, Steinheiser made a motion to adopt resolution #11-12 to show supplemental appropriations (\$205,486.68) received from Act 13 of 2012 on the 2012 budget. Lee Kradel said PSATS states if there is more than a 25% change in revenue during a budget year, a resolution needs passed and the amount needs shown on the current budget. Longdon, seconded. Roll call, yes.

Lastly, Lee Kradel stated the 2013 budget is in the packets to review and noted the only change since the last public budget meeting was adding the expense item for the equipment building (\$5,400) and showing the Act 13 Impact Fee account (\$205,486.68) on the budget as a reserve fund and capital reserve. Lee Kradel stated the advertisement to view the budget will be in the December 6, 2012 newspaper and ready to view December 7, 2012 by appointment at the Township Office. In addition, Lee Kradel stated the budget will be posted on the front door of the Township building. Brenda Davis stated this fulfills the requirement of allowing 20 days to view before adopting at the "close of business" meeting on December 27, 2012.

### **COMMENT PERIOD**

Chas Tanner said he did do a survey of the Woodlands residents and about 50 people responded. Mr. Steinheiser said that is good to gather this information to give to PA American Water and Representative Brian Ellis for help. Janet McIntyre was present and supplied a drawn map of the water affected areas in the Woodlands. Ms. McIntyre said four sections are affected. Ms. McIntyre said the future possible plan of water coming from Rex Energy pipes into the back of the Woodlands will not help because those people are not affected. Mr. Tanner stated the pipe needs to come from Prospect Road (Rt. 528) and address both sides of the road. Mr. Steinheiser told Ms. McIntyre the reason the line was being brought into the back of the Woodlands because that was the shortest route but if this is not feasible the plan will have to go back to the drawing board. However, Mr. Steinheiser stated there is plenty of time to discuss. Ms. McIntyre told the board 20 people are currently receiving water donations and three families on Hawk Drive have water buffalos. In closing, Mr. Steinheiser handed Mr. Tanner an article from the "Tribune Review", related to the discussion, for him to read.

### **REQUEST TO BE HEARD**

Rodney Gasch stated he had put in a nuisance complaint against Larry & Pat Walters from Walters Lane and requested the status. Mr. Gasch said he can't find where the Walters have a permit or license at their residential home to run a business. Mr. Gasch had pictures of all the junk vehicles and said the junk vehicles are starting to surround Mr. & Mrs. Walters residence. Mr. Gasch said the Township ordinance states you must have a permit and

must have an opaque fence surrounding the property to block the view. Mr. Kaltenbaugh said he was back there and thinks they have cleaned up a lot. Mr. Gasch told Mr. Kaltenbaugh, it may look alright to you but still feels it violates the ordinance. Mr. Gasch stated he made complaints years ago but the past board didn't take action. Mr. Gasch referenced Ordinance #73, section 102, A-T stating Mr. Walters is violating the ordinance by having abandoned motor vehicles with flat tires, protruding sharp body parts, oil or gas left in vehicles, exposed batteries, etc. Mr. Gasch also read that a fee must be paid to the Township per a resolution and the motor vehicles must be stored in a garage or other enclosed building or, outside within an opaque fence at least (6) feet high and locked at all times when unattended. Mrs. Nauman, another resident who previously filed the same complaint, said Mr. Walters has a highlift which is very noisy and stated he is always moving something around. Kaltenbaugh told her Mr. Harkus, former owner of the Walter's property, also had a highlift but never heard any complaint about him. Mrs. Nauman said Mr. Walters is constantly moving something. Mr. Menchyk, Jr. read the first Abandon Vehicle Ordinance dated August 1978 and stated this would also still be in affect and under section 2. the last sentence states, "salvage yards, specially licensed historical vehicles, those vehicles screened from sight and farm vehicles shall not be considered abandoned vehicles. Mr. Menchyk, Jr. stated the Township's Code Enforcement Officer did inspect the Walters property but did not give them a citation, therefore telling Mr. Gasch that this would have to be settled as a private property issue. Mr. Gasch still insisted this is a Township issue because Mr. Walters is violating the ordinance. Mr. Steinheiser stated Leyne Lokhaiser has been to the Walters several times and feels it has been cleaned up. In closing, Steinheiser said he and Kaltenbaugh have been there and Longdon can go and look and the board will need to discuss further with our Solicitor. Steinheiser tabled the discussion until next month. Evelyn Hockenberry said she considers a nuisance violation has to cause a Health or Safety issue. Mr. Menchyk, Jr. stated it would have to be proven that a Health or Safety issue was present at the Walters'. Mr. Walters was present during the meeting but did not comment.

Ira Murdick voiced his disapproval of the billboard going up at King Kone. Mr. Murdick stated that in our ordinance #61, section 13 it states billboards are prohibited. Bill Braun said they are prohibited unless such billboard has been permitted in compliance with the provisions of the Outdoor Advertising Act. Steinheiser stated the Statler Billboard Company came through the Township and was approved. Mr. Braun said they followed the PennDot rules and the Outdoor Advertising Act. Mr. Murdick said the billboard is 5 ft. from his property line and feels it is a structure and should follow the set back requirements. Mr. Murdick stated the billboard should be taxed. Secondly, Mr. Murdick stated the billboard has caused stormwater issues. He states all the water runoff goes to his parking area. Steinheiser stated he, Bill Braun, Kaltenbaugh and Longdon all inspected the area and feel it has not increased any stormwater issues. Kaltenbaugh feels no more rain is coming down just because of the billboard's location. Mr. Murdick stated he has to keep his stormwater on his property so they should too. Kaltenbaugh said he would re-check the billboard when in place to see if a stormwater problem exists. Thirdly, Mr. Murdick stated they dug a ditch and when cementing the billboard, the cement ran down the ditch and into the culvert and sooner or later the culvert will get plugged up. Kaltenbaugh and Braun said they did not see that and would go check. Mr. Murdick stated he is not cleaning it out when it happens. Also, Mr. Murdick said when the billboard is hung it may overhang his property line. Bill Braun and the board said if it did that would be another issue to be addressed. Steinheiser closed the discussion by telling Mr. Murdick the board would re-check the stormwater and billboard in relation to the property line and have the solicitor review the ordinance and let him know. Mr. Menchyk, Jr. stated a new sign ordinance is in process and hopefully will address all these issues in the future.

## **COMPLAINTS**

\* NONE \*

## **SOLICITOR REPORT**

Mr. Menchyk, Jr. stated he is working on finalizing the sign ordinance.

Secondly, Mr. Menchyk, Jr. stated he is working on an 'Internal Accounting Procedure' booklet which the auditors comment on each year in our audit report.

## **NEW BUSINESS**

Longdon made a motion to approve Donna Zang (executor) for James E. Neely & Norma W. Neely into Ag Security. Planning recommended her at their November 21, 2012 meeting. Steinheiser, seconded. Roll call, yes. Jason Zang was present to answer any concerns the board had.

**OLD BUSINESS**

\* NONE \*

**PLANS**

\* NONE \*

**ENGINEER REPORT**

Bill Braun stated Patrick Boylan owner of Boylan Funeral Home is requesting his letter of credit reduced. Bill Braun felt since a lot of the work was not completed yet on the plan, it would have to be up to the board to decide. Longdon stated Mr. Boylan had submitted a new estimate from Gateway Engineers with new amounts and some items were totally eliminated such as lighting and paving. Steinheiser stated Mr. Boylan still plans on lighting and paving next year but since the Township ordinance does not require it, Gateway took it off the bond sheet in order to reduce his letter of credit. The board and solicitor sympathizes with Mr. Boylan wanting to reduce this because his money is being held up through the winter months but Bill Braun told the board this is what Mr. Boylan agreed to and submitted at the beginning and the whole land development plan would need revised. Steinheiser said Mr. Boylan would like to reduce the amount to around \$120,000 which meets the Township half way. Mr. Braun said this could set a precedence. Mr. Menchyk, Jr. said it sounds like Mr. Boylan didn't feel some items should have been bonded or bonded too high but back in the Fall of 2011 he agreed to them and that was the time he needed to object. Longdon stated if these lighting and paving specifications are taken off, this would cause the Township to lose our leverage with the job being completed. Steinheiser said they could resubmit to the supervisors the revised plan to be approved but that would not be until the January meeting. Longdon said if they submit the new plan without lighting and paved driveway and then do the work in the spring, they would have to resubmit another plan showing this. Mr. Braun mentioned possibly allowing them to secure a maintenance bond instead. Steinheiser asked Kaltenbaugh and Longdon's opinion on whether to reduce the bond and both felt it wasn't the right thing to do. Steinheiser asked Mr. Menchyk, Jr. to send a letter to Mr. Boylan stating his options and informing him that the board is not totally against reducing the bond but telling him what he needs to comply with in order to release a portion of his bond.

Secondly, Bill Braun said Sonoma Valley is requesting some of their bond to be released. He said he checked the work and recommends the request of lowering their letter of credit by \$149,276.00. Mr. Braun stated they plan on paving from the end of Brandywine Blvd through to the new Sonoma Valley Drive soon. Mr. Braun stated an inspector from Senate Engineering has been on site. Kaltenbaugh motioned to release \$149,276.00 of the Sonoma Valley bond. Longdon, seconded. Roll call, yes.

Thirdly, Bill Braun mentioned Trans Associates traffic study at Rt. 68 and Kriess/Eagle Mill Roads intersection has been completed. Mr. Braun also stated there are three sources for funding but none are promising.

**EMERGENCY MANAGEMENT COORDINATOR REPORT**

\* NONE \*

**CODE ENFORCEMENT REPORT**

Steinheiser motioned to approve and pay Leyne Lokhaiser's invoice. Longdon, seconded. Roll call, yes. Report and invoice on file in office.

**ROAD MASTERS REPORT**

The road superintendent's report for the month of November was in the packets.

Longdon stated the new truck has arrived. Longdon stated all the trucks are equipped for Winter. Longdon said there has been discussion on whether to sell the 92 truck or just keep it.

Secondly, Longdon mentioned receiving quotes on replacing the Lower Harmony guiderails. The one company that submitted the lowest bid was going to use the old posts but Bill Braun said they were not PennDot approved and could cause liability to the Township. Longdon said he received a quote from Green Acres for \$10,650.00 which will install used guiderails but new posts and is accepted by PennDot standards. Mr. Longdon said Lancaster Township contacted the Township and wants to continue the guiderails from that point and also use Green Acres. Mr. Menchyk, Jr. told the board he heard from Federated Insurance Company today and now has a claim # so once a dollar amount is determined for the damages, he will submit the claim. Longdon made a motion to contract Green Acres in the amount of \$10,650.00 to replace 550 ft. of guiderails on Lower Harmony Road. Steinheiser, seconded. Roll call, yes. Evelyn Hockenberry asked how much further Lancaster Township would extend the

guiderails? Longdon was not sure but stated he hoped Green Acres would reduce our cost since we threw some business their way.

#### **BUILDING APPLICATIONS APPLIED FOR DURING MONTH**

Raymond McCarthy – patio roof – Fassinger Road

Robert Hilliard – Modular Home – Dick Road

#### **TAX COLLECTOR REPORT**

\* NONE \*

#### **SEO REPORT**

Longdon stated he discussed the continuing sewage problem on Buttercup and Kriess Roads with our SEO, Dave Ice and Mr. Ice thought the sewage draining was corrected. Longdon told the board he has sent Dave Ice out again to inspect and advise on a solution.

#### **MOTIONS & GENERAL INFORMATION**

Steinheiser motioned to release George Shockey's (Real Deals) improvement bond escrow in the amount of \$29,808.00 contingent on receiving the as-built plan. Kaltenbaugh, seconded. Roll call, yes.

Steinheiser motioned to release George Shockey's (Real Deals) escrow in the amount of \$218.00. Kaltenbaugh, seconded. Roll call, yes.

Longdon motioned to release Frank Blaine's SFTF remaining escrow in the amount of \$50.00. Steinheiser, seconded. Roll call, yes.

Longdon motioned to release Jeffrey Domhoff's SFTF remaining escrow in the amount of \$50.00. Steinheiser, seconded. Roll call, yes.

Steinheiser motioned to release David Irwin's subdivision plan escrow in the amount of \$532.00. Kaltenbaugh, seconded. Roll call, yes.

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

Received \$13,760 from R. E. Gas Development, LLC (Rex Energy) for signing of the non-surface lease of the Township's property.

Rec'd "notification of surface landowner/water purveyor of well drilling operation or alteration from DEP for 2 wells in Penn Township. The well pads are the Godfrey Units C2H & C3H. Information is on file at Township office.

Rec'd **revised** letter from Rettew dated November 12, 2012 (previously dated August 20, 2012) on behalf of Mountain Gathering, LLC and in accordance with Act 14, p.l. 284, stating they plan to submit an ESCGP-1 Permit Application to the PADEP for the Patton Pipeline Project. Information is on file at Township office.

#### **Before close of meeting comments:**

Lisa Strnad asked if there were any new updates with her complaint against her neighbor that needs to move his shed to meet setbacks? Brenda Davis stated Leyne Lokhaiser stopped in earlier and said he had met with the neighbor but the neighbor states it is only 3 sided and not a shed, just a wood stack. Leyne Lokhaiser told Brenda Davis that the neighbor wanted him to ask the board their opinion so he wouldn't have to move it. Mr. Braun read the definition of a structure and the board agreed this was a structure and he either has to move it or come before the board and ask for a modification. Steinheiser asked Brenda to contact Leyne Lokhaiser with the board decision and have him send a letter.

Bernie Baker commented that we should use the 92' truck during the winter because it won't be worth any more now than in the spring. Longdon seemed to agree.

#### **MOTION TO ADJOURN**

Steinheiser made a motion to adjourn the meeting at 8:40 p.m. Longdon, seconded.