

Connoquenessing Township's Supervisors Meeting was called to order by Chairman, Terry Steinheiser at 7:00 p.m. on February 5, 2014 at the Connoquenessing Township Municipal Building. Present were Supervisors Terry Steinheiser, Scott Longdon and Ray Kroll. Also attending was Solicitor Andrew Menchyk, Jr., Engineer Bill Braun, Treasurer Lee Kradel and Secretary Brenda Davis was present to take the minutes. Twelve people signed in on the public sign in record on file. The meeting opened with the Pledge of Allegiance.

#### **REVIEW MINUTES**

Reviewed minutes of January 6, 2014 "organizational" and "supervisors" meetings. Steinheiser motioned to accept both minutes. Longdon, seconded. Roll call, yes.

#### **FINANCIAL REPORT**

Lee Kradel reported the beginning balance in the General Fund is \$356,405.88 but after total deposits of \$96,138.90 and checks in the amount of \$111,978.88 are approved tonight the ending balance will be \$340,565.90. The Escrow account beginning balance was \$36,044.25 but after deposits in the amount of \$5,075.00 and checks in the amount of \$247.50, the ending balance is \$40,871.75. Lee Kradel said the Highway Aide beginning balance was \$61,204.07 but with interest of \$2.45, the ending balance is \$61,206.52. Lee Kradel stated the Act 13 Impact Fee fund beginning balance is \$258,979.40 but with interest of \$22.00, the ending balance is \$259,001.40. Steinheiser motioned to accept the financial report and pay the bills. Longdon, seconded. Roll call, yes. Lee Kradel stated a copy of the 2014 budget with updated 2013 actuals is in the packets for information.

#### **COMMENT PERIOD**

Mr. Bob Ivill, resident on Eagle Mill Road, questioned what is going on at the intersection of Eagle Mill Road and Route 68? Steinheiser said there is a future plan for turning lanes from both directions to be placed on Rt. 68.

Mr. Braun said coming from the west a center turning lane turning left will be placed on Rt. 68 but coming east on Rt. 68 there will be a center lane turning left and also a turning lane to the right. Mr. Ivill asked if the Township has enough right of way? Mr. Braun said they do to the north but may need some from the south and west. Mr. Ivill asked if utilities will need to be moved back? Mr. Braun said some may but the Field Survey Study is not complete at this time. Mr. Ivill questioned if this will actually increase traffic on Eagle Mill Road. Steinheiser feels this will help the flow of traffic but won't increase or decrease the traffic to Eagle Mill Road. Steinheiser said anyone going down Eagle Mill Road today will go down tomorrow. Steinheiser said this is being done for public safety and to alleviate accidents at the intersection. Mr. Ivill questioned where the funding is coming from? Steinheiser said he has met with the State Senator and Representative Brian Ellis, discussing any funding that is available. Steinheiser stated we do have the Act 13 money. Mr. Ivill asked if Honda North would help with the funding? Steinheiser stated they have already committed to help.

#### **OLD BUSINESS**

\*NONE\*

#### **NEW BUSINESS**

\*NONE\*

#### **REQUEST TO BE HEARD (Three minute limit)**

Steinheiser stated Evelyn Hockenberry was on the agenda but did not attend.

Dennis Higgins, resident of the Woodlands, was present to ask the Township for help getting water. He stated his water delivery service just informed him that they will no longer travel on his unmaintained private road. Mr. Higgins also stated it cost him \$65.00 for only 300 gallons of water and with kids and a wife, he can't afford it. Mr. Higgins said he is fortunate that his children are older and understand because alot of these families have small children that don't. Mr. Higgins stated he has heard about the possibility of water coming in 18 months but that is too long to wait, he wants someone to step up and take care of this problem. Steinheiser told Mr. Higgins this has been an ongoing issue and reinforced to Mr. Higgins that the Woodlands residents were told a long time ago to establish an association to address the problem. Mr. Higgins said no one wants to establish one and doesn't have the money to do so. Steinheiser said it is not the Township's responsibility to establish an association. Steinheiser said the Woodlands is all private. Mr. William Makepeace, another resident of the

Woodlands, commented he has to decide whether to use the water to flush the toilet or make his daughter noodles. Mr. Higgins asked the board where the Act 13 impact money is? Mr. Higgins stated his family is impacted. Mr. Makepeace said they need help with the roads to get fireman, water, normal necessities, etc. back their roads. Mr. Higgins asked if cinders could be left at the end of the roads to spread? Steinheiser stated Township trucks can't go on private roads. The Woodlands crowd got louder and Steinheiser told them they were told to establish an association and he has tried diligently to help them get a water line but this is not the Township's responsibility. Mr. Makepeace thanked the board and requested to be placed on the next month's agenda. Brenda Davis assured him that he would be on the agenda. Mr. Higgins also asked to be on the agenda. Ms. Davis acknowledged.

Mr. Ivill commented on all the truck traffic going in and out of the Lesney Farm and stated it has turned into a commercial business. Steinheiser stated they have been in existence for years. Mr. Ivill disagreed stating they never had a road open for trucks back there until the gas well came in. Mr. Ivill said this even goes on from 6:00 a.m. until 10:30 p.m. on Sundays. Mr. Ivill said the roads are below sub standard and it is a safety issue for trucks over the 10 ton limit to use the road. He also feels the trucks are overweight and should be coming in off of Rt. 422. Mr. Ivill said the State won't give them a permit because of site distance so they use Eagle Mill Road because they can do whatever they want. Mr. Ivill said it is not just their farming business, they are drying everyone's corn in the county. Pam Kormick also stated the trucks are throwing up rocks hitting her house. Steinheiser told Mr. Ivill the board would review and discuss with the solicitor on what action, if any, can take place. Kroll told him you can not stop a farming business from using the roads. Mr. Ivill asked when the last traffic study was done and if the road was considered safe? Mr. Braun said the study was done 7 years ago and the weight limit was based on the structural damage due to overweight vehicles on the road. Mr. Ivill mentioned a petition with over 40 signatures was submitted last October to the supervisors and nothing has been done. Longdon told Mr. Ivill the Lesney Farm is an agricultural business and doesn't have to abide by weight limit signs and told him that when the speed issue was mentioned, he told Pam Kormick to contact the Police because they are the ones who enforce. Steinheiser said he appreciates Mr. Ivill's opinion but the 3 minute limit to discuss was past and the meeting needed to move on. Steinheiser said it would be discussed next month. Pam Kormick told the board, Lindy trucks are putting Calcium Chloride on our Township roads".

### **PRELIMINARY PLAN QUESTIONS**

Brent Thomas and Richard Craft were present to represent McDonald Heating & Plumbing. They stated Kenneth McDonald, owner, proposes to develop 0.49 acres of his current 3.00 acre tract and build a new 80' x 100' building for additional storage space. Mr. Thomas stated they came to the Planning Commission meeting and was directed here to ask if their two modification requests would be approved before moving forward. The two modification requests were: requesting a modification to provide a 25 feet minimum side yard setback and a 35 feet average setback for the eastern side of the lot due to the existing lot configuration and existing adjoining access drive. Secondly, they had requested not being required to put a buffer yard in since the residential properties are so far back but said they would put a buffer along the southern property line that currently has a residential garage on it. Mr. Thomas also submitted a letter from the neighboring Humane Society stating they had no problem with them being this close. Andrew Menchyk, Jr. noted to the board that his law firm represents Mr. McDonald, therefore, due to a conflict of interest, he can not comment on this plan. Mr. Braun said the Planning Commission stated they do not see their modification requests as a hardship and pointed out a hardship can not be granted based on a financial benefit. Mr. Braun feels the new building could be located in a different place so a modification wouldn't be needed. Mr. Thomas explained why they prefer the building to be there because it lines up with the other building and states the other building already encroaches the set back because years ago the building inspector at the time required a 50 ft. side yard setback (versus the ordinance requiring 35 ft., therefore limiting the available building space now on the lot. Mr. Thomas showed the board a diagram of the layout requested and explained how it was designed. Mr. Thomas discussed the options of changing the size of building or placing the building in a different location but Mr. Thomas stated he and Mr. Craft feel this is the best location and the only option since the original building was set back improperly years ago. Kroll asked if they could verify the original building was only going to be set back 35 ft.? Mr. Craft said, "yes", we can produce the drawing. Mr. Braun also stated our ordinance, chapter 22, only says the board of supervisors can modify the setbacks for single family dwellings, not commercial buildings. Bill Braun also mentioned the Planning Commissions comment on the buffer modification request. Mr. Braun said they told Mr. Thomas to ask the board if they require the buffer? After discussion, it was agreed that a buffer should be put in the back of the lot. Longdon motioned to approve McDonald Heating & Plumbing's request to allow a 25 ft. minimum side yard setback and a 35 ft. average setback for the eastern side of

the lot but the board does not approve a modification to the buffer. Kroll, seconded. Roll call. Longdon, yes. Kroll, yes. Steinheiser, abstained. In closing, Mr. Braun asked Mr. Thomas to submit new drawings to him for review.

### **PLANS**

Ralph Perilli from Power Up is requesting a front setback modification on his business at 620 Evans City Road. Mr. Perilli stated he is planning on putting a foyer in the front of the building and would encroach another 9 ft. into the front setback. Mr. Perilli showed the board his drawings. Mr. Perilli stated he has already been at the Planning Commission meeting and they had no problem but told him to come to supervisors for approval. Mr. Perilli stated the current building is already encroaching on the setback and said several of the surrounding buildings, even based on encroaching another 9 ft., are further out than that. Bill Braun agreed that other buildings are encroaching more and said the Planning Commission recommended approval. Mr. Perilli said the building is already 24 ft. into the 100 ft. front setback. Steinheiser asked Mr. Perilli if he is just trying to make a nice entrance and easy accessibility for the handicapped? Mr. Perilli said, "yes" and stated he wants to change the facade of the building to look modern. Steinheiser motioned to approve the 9 ft. front set back encroachment on the Power Up building at 620 Evans City Road. Kroll, seconded. Roll call, yes. Steinheiser welcomed Mr. Perilli's business to our Township. Mr. Perilli said he is excited and hired more people and is anticipating being successful. In closing, Mr. Perilli asked Mr. Menchyk, Jr. for his address again so he could forward him the easement agreement for the property.

Tim Spangler, Voelker Paving, was present. At the last meeting, Mr. Menchyk, Jr. was asked to send Mr. Spangler and Mr. Bob Swartz a letter stating something substantial must be submitted to the supervisors before tonight's meeting or the Voelker plan would be voted on. Bill Braun stated new plans were submitted earlier today by Mr. Swartz but he has not reviewed. Mr. Longdon stated we accepted Voelker Paving's granting us 45 days of their 100 day offer at the December 2013 meeting and suggested accepting the other 55 days tonight since they have made progress. Longdon made a motion to accept the additional 55 days before voting on the plan. Steinheiser, seconded. Roll call, yes.

### **ENGINEER REPORT**

Steinheiser asked Bill Braun if he agrees with Brett Schultz, Weaver Master Builders, request for Sonoma Valley's letter of credit be reduced by \$130,217.50? Mr. Braun stated, "yes". Longdon made a motion to approve Sonoma Valley's letter of credit be reduced by \$130,217.50 for a revised amount of \$595,315.34. Kroll, seconded. Roll call, yes. Steinheiser mentioned the Postal Service had contacted Brett Schultz about the mailboxes at the Sonoma Valley quad units should be removed and a central big box for all residents should be put in. Steinheiser stated since Brett Schultz was never officially notified and when the address numbers were assigned and approved, he should object to their request. Lee Kradel stated she had told the postal office in Renfrew there would be 4 mailboxes on a post for each quad and they didn't have a problem with it. Steinheiser said he just wanted to bring this to Bill Braun's attention when reviewing future developments so nothing comes back against the Township.

Bill Braun stated the deed research is done for the Rt. 68 and Kriess Road/Eagle Mill Road turning lanes and has also obtained the construction plans from PennDot. Mr. Braun said Senate Engineering has been on site for the past few days doing the field survey. Mr. Braun stated they need one more day to complete the field survey and asked the board if it would be possible for the road crew to provide a few hours of flagging. Kroll stated the men are already in overtime due to the severe winter weather. Longdon said from a liability standpoint, he suggests Senate Engineering hiring flagmen. Brenda Davis told Bill Braun she has a file on flagmen and their rates if needed.

Bill Braun stated he feels the Act 537 service areas have been nailed down but still working on how to do it and the cost associated with it. Steinheiser stated it has been a long process and with limited funding we will just take it one step at a time.

### **SOLICITOR REPORT**

Andrew Menchyk, Jr. stated the ordinance "Temporary Retaining Tanks" that has been discussed over the past few months has been advertised and ready to adopt. Longdon motioned to adopt ordinance #88-14, "Temporary Retaining Tanks". Steinheiser, seconded. Roll call, yes.

Secondly, Andrew Menchyk, Jr. stated the Township has submitted all the documents to General Code and they will send us a finished manuscript of the codification for our final approval. Mr. Menchyk, Jr. said when the codification is done and posted on our Web Page, it will be easier for the public and Township officials to gather information. Steinheiser thanked Mr. Menchyk, Jr. and Longdon for their hard work and dedication to this project.

#### **CODE ENFORCEMENT REPORT**

No report this month

#### **ROAD MASTERS REPORT**

Steinheiser opened by stating the men have really been pounded this winter and doing a great job. Kroll stated the men have been plowing and cleaning catch basins. Kroll also said 200 lbs. of additional salt was just ordered. Kroll said he would like to discuss replacing the 97 International. Kroll said he did a survey and within the past 7 years \$43,000 has been put into this truck. Kroll asked if the board would give him the approval to look into some truck options and pricing? Steinheiser and Longdon both said all the trucks are getting old and agreed that Kroll can research. Kroll also mentioned how the new trucks can carry more but the old one has to keep returning to the Township building to refill. Kroll would like all trucks to be set up to carry the same amount.

Secondly, Kroll stated if you put up weight limit signs on the roads but don't have a weight study done, it can not be enforced. Steinheiser asked Mr. Braun if core samples need done on the roads for the study? Mr. Braun said, "no" and explained the requirements he follows to do the study. Longdon stated he had wanted this done last year and the money is in the budget. Kroll motioned to hire Senate Engineering to do weight studies on all Township roads. Steinheiser, seconded. Roll call, yes. Road superintendent's report for month of January was in the packets.

#### **BUILDING INSPECTOR'S REPORT**

Steinheiser stated there were six building permits applied for in the month of January

They were:

- 1-14 - Sheri Makepeace - Bluejay Dr. - addition
- 2-14 - Ralph Perilli (Power Up) Evans City Rd. - foyer
- 3-14 - Sonoma Valley - 2041 - Sonoma Valley Dr. - quad
- 4-14 - Sonoma Valley - 2042 - Sonoma Valley Dr. - quad
- 5-14 - Sonoma Valley - 2043 - Sonoma Valley Dr. - quad
- 6-14 - Sonoma Valley - 2044 - Sonoma Valley Dr. - quad

#### **TAX COLLECTOR REPORT**

\*NONE\*

#### **SEO REPORT**

Steinheiser stated a final inspection is complete at 174 Double Road.

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

Steinheiser motioned to remove Ron Kaltenbaugh as a member of the Planning Commission. Steinheiser stated Mr. Kaltenbaugh always did a fine job and is welcome back if he becomes able. Longdon, seconded. Roll call: Steinheiser, yes. Longdon, yes. Kroll, no.

Longdon motioned to accept Bronder Technical Services offer to the Township for a one (1) year extension to the existing contract at the same cost/rate. Kroll, seconded. Roll call, yes.

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

Received invitation from Connoquenessing VFC to attend their annual "Officer Installation/Member Appreciation Dinner" to be held at 6:00 p.m. on February 22, 2014. R.S.V.P. by February 16, 2014.

Received letter dated January 6, 2014 from Tetra Tech on behalf of Rex Energy who intends to submit to the PA DEP a Water Management Plan for the withdrawal of water for use in oil and gas exploration activities from Little Connoquenessing Creek. Any comments should be sent to the PA DEP within 30 days. Information on file at Township office.

Received letter dated January 6, 2014 from Civil & Environmental Consultants, Inc. (CEC) to inform us that R.E. Gas Development (Rex) is applying to the PA DEP for an ESCGP-2 Permit for the Michael Well Pad Project located on S.R. 68 in Connoquenessing Township. Information on file at Township.

Received letter dated January 8, 2014 from The Markosky Engineering Group on behalf of MarkWest to inform they will be applying for coverage under the PADEP General Permit #5 (Utility Line Stream Crossing) and General Permit #8 (Temporary Road Crossing) and an Erosion and Sediment Control General Permit 2 (ESCGP-2 for the Shipley to Lynn Pipeline. Information on file at Township office.

Received letter dated January 10, 2014 from Civil & Environmental Consultants, Inc. on behalf of Rex Energy to inform they are applying to the PA DEP for an ESCGP-2 Permit for the Brennan Well Site. Any comments should be sent to the PA DEP within 30 days. Information on file at Township office.

Received letter dated January 13, 2014 from Tetra Tech on behalf of Rex Energy who intends to submit to the PA DEP a Water Management Plan for the withdrawal of water for use in oil and gas exploration activities from the PA American Water Company meter vault on Constitution Avenue. Any comments should be sent to the PA DEP within 30 days. Information on file at Township office.

Received letter dated January 20, 2014 from Morris Knowles & Associates providing a copy of the PCSM plan drawing to supplement the previously provided municipal notification under the requirements of Act 14. Project location is Iron Bridge Road, Armstrong County in South Buffalo Township. Information on file at Township office.

Received letter dated January 29, 2014 from Civil & Environmental Consultants, Inc. on behalf of Rex Energy to inform they are applying to the PA DEP for a major modification to the previously approved ESCGP-2 Permit for the Shipley Well Pad and Impoundment Project. Any comments should be forwarded to the PA DEP within 30 days. Information is on file at Township office.

#### **MOTION TO ADJOURN**

Steinheiser motioned to adjourn to an executive session at 8:22 p.m. to discuss the billboard at 102 Kriess Road and discuss a personnel issue. Steinheiser stated the board would not return. Longdon, seconded. Roll call, yes.