

Connoquenessing Township's Supervisors Meeting was called to order by Chairman, Terry Steinheiser at 7:00 p.m. on March 9, 2016 at the Connoquenessing Township Municipal Building. Present were Supervisors Terry Steinheiser and Ed Rupert. Ray Kroll was not present. 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. Fourteen people signed in on the public sign in record on file. The meeting opened with the Pledge of Allegiance and Prayer.

REVIEW MINUTES

Reviewed minutes of February 18, 2016 supervisors meeting and March 3, 2016 Act 537 Sewage Update meeting. Steinheiser motioned to accept the February 18, 2016 supervisors meeting minutes. Rupert, seconded. Roll call, yes. Steinheiser motioned to accept the March 3, 2016 Act 537 Sewage Update meeting minutes. Rupert, seconded. Roll call, yes.

FINANCIAL REPORT

Lee Kradel reported the beginning balance in the General Fund is \$302,580.48 but after deposits of \$66,542.79 and checks in the amount of \$82,356.52 are approved tonight the ending balance will be \$286,766.75. Lee Kradel stated the Escrow account beginning balance is \$23,165.75 but after checks in the amount of \$819.50 are approved tonight, the ending balance is \$22,346.25. Lee Kradel said the Highway Aide beginning balance was \$66,167.57 but with interest of \$2.74 and our annual allocation of \$194,043.59, the ending balance is \$260,213.90. Lee Kradel stated the Act 13 Impact Fee fund beginning balance is \$439,667.84 but with interest of \$37.34 and a check in the amount of \$34,839.00, the ending balance is \$404,866.18. Steinheiser motioned to accept the financial report and pay the bills. Rupert, seconded. Roll call, yes.

COMMENT PERIOD

Dorothy Onufer questioned why so many meetings don't have the full 3 member board? Steinheiser said he could not answer that but stated Kroll had intended to be here tonight but was stranded at work in Ohio.

Secondly, Mrs. Onufer asked if Ray Kroll was working as a road crew? Steinheiser stated "yes" because the road crew is short staffed. Mrs. Onufer questioned where the new road crew member was? Steinheiser stated he was put on labor status instead of operator status and is currently laid off. Mrs. Onufer questioned if anyone else will be hired? Steinheiser stated he could not answer this because he has not talked with Mr. Kroll.

Bob Cichra asked the board if the Act 537 draft plan is off the table and nothing to move forward until a sewage advisory board can be established? Steinheiser stated nothing has been submitted at this time but would like to submit to DEP to get feedback from them. Steinheiser stated the DEP was asked to attend the Act 537 Update meeting but declined stating it was too premature at this time. Mr. Cichra's concern was if the plan is submitted to DEP, they could accept the plan. Mr. Menchyk, Jr. told Mr. Cichra the plan has not been submitted at this time and when or if it is it will be approved by the board. Mr. Cichra then asked if he could read what was stated in the Butler Eagle (March 4, 2016) that Steinheiser said which was "However township Supervisor Terry Steinheiser said this morning it was "much too premature" to take that step. Steinheiser said he thinks the best action to take is for the township to put together a board to help direct the planning process. Probably by the time everything is in order...we're looking at four to five years down the road. This is going to take some planning, he said this morning." Steinheiser said he just meant it will take planning. Steinheiser said the whole plan will take 15-20 years, it is not going to happen overnight.

Chris Klink thanked the board for having the Act 537 update meeting and felt it was a good turnout. Mrs. Klink asked if a committee could be formed before the draft is sent to DEP and let them look at other proposals. Steinheiser told her she could submit any proposals to the township and engineer for review. Mrs. Klink asked if the comments already submitted would be answered? Steinheiser said she can come to the township for answers. Lastly, Mrs. Klink asked what the residents can do to stop this sewage plan? Steinheiser just told her to get her comments in. Andrew Menchyk, Jr. stated it will be on a public meeting agenda and approved by the supervisors before it is sent to DEP.

A resident was concerned that if he needed a repair on his malfunctioning system if he could get a permit? Bill Braun told him he would need to consult with our Sewage Enforcement Officer. Steinheiser stated the DEP has just

said if the township doesn't take action on implementing the Act 537 plan, they will not issue permits, this is why we are taking action.

OLD BUSINESS

Steinheiser stated a Printer was donated by a resident for the Planning Commissions use.

NEW BUSINESS

NONE

REQUEST TO BE HEARD (Three minute limit)

Jon Grimme was present but did not speak.

Charlotte Grimme thanked the board for having the Act 537 Update meeting. Mrs. Grimme thought the consensus of the people in attendance feel more planning is needed before the plan goes to DEP. Mrs. Grimme mentioned the proposed area is in the flood plain, watershed, wetlands, conservation district and she and neighbors don't want the smell, lights, noise, etc. Mrs. Grimme feels a sewage authority is needed now, not after the plan has been submitted to DEP. Mrs. Grimme feels the sewage authority could review the plan and look at other proposals and look into Rt. 68 tapping into BASA. Mrs. Grimme asked the board why not have an authority first? Mr. Menchyk, Jr. stated after the plan is in place then the sewage authority is formed. Rupert thought Mrs. Grime may be asking for just a committee to discuss the Act 537, not the actual authority. Mrs. Grimme said she would like public input and work with the supervisors. Rupert said that is what the comment period was for and the engineer will be answering the questions. Jon Grimme asked why not go through BASA? Steinheiser said monetarily it is better for the residents to have their own sewage facility. Steinheiser said the most feasible way to implement this plan is how the engineers proposed it. Steinheiser said it could be sent to BASA, this is still under discussion. Steinheiser said to submit your comments. Mrs. Grimme said everyone has but get no answers. Mrs. Grimme said if township supervisors not working with residents, they will actively work against them. Steinheiser said he understands but it is the authority of the township to implement. Steinheiser said our forefathers had to make decisions which everyone didn't agree with but in the long run it was beneficial to the public. Mrs. Grimme said, "not always".

Evelyn Hockenberry mentioned the Comprehensive Plan created back in 2007 showed the direction the township was going to take. Hockenberry said there were months of meetings and public input to create this plan and feels the Comprehensive Plan is being ignored. Rupert told Mrs. Hockenberry that the Act 537 Plan was mentioned in the Comprehensive Plan back in 2007 but nothing was done and needs to be done. Mrs. Hockenberry agreed but stated she didn't see the Comprehensive Plan mentioned in the new Act 537 Plan.

Roy Gilliland stated he is still waiting on the Powdermill and Reiber Rd. intersection to be taken care of and wants his mailbox moved back like promised over a year ago. Mr. Gilliland said he gets dust all the time from this intersection. Steinheiser said since Mr. Kroll wasn't present he could not answer. Mr. Gilliland said XTO needs to take the dirt back out and get it paved. Mr. Gilliland also stated he has asked the ponding on the road to be corrected between address 308 & 310 but nothing has been done with that either. Mr. Gilliland also said the ditch by Gary Smith's residence needs corrected or there could be a head on collision. Mr. Gilliland also stated he had given his phone number to Bill Braun over 6 months ago and he and Ray were to come over to look at his easement problem and the water going into his pasture field but has never been contacted. Mr. Braun did not remember this request but said he would go if Ray Kroll requests him to. Steinheiser promised Mr. Gilliland that Bill and Ray would come meet with him about his concerns. Lastly, Mr. Gilliland stated he doesn't want to get other residents in trouble with their draining issues but feels prejudice like he is treated like the Japanese, Blacks, Hispanics, etc. when it comes to Ray Kroll. Mr. Gilliland said Kroll made XTO rip up a drain twice and doesn't know if Kroll has an ax to grind to ax with XTO or him. Mr. Gilliland said Kroll told him he knew of other residents that were going to be told to correct their problems but they haven't been told but seems Kroll is always after him. Kroll has told Mr. Gilliland about excess water going onto the road and Mr. Gilliland said that is not true. In closing, Mr. Gilliland said he doesn't want anyone else in the township to get in trouble but if Ray shoots his mouth off saying everyone will be told to correct these things, but he's the only one told, that's a bunch of bull. Steinheiser stated if this was my department he'd be out to meet him tomorrow but would make sure to tell Mr. Kroll. Mr. Gilliland told the supervisors they should check up on Ray Kroll's decisions.

PRE-APPLICATION QUESTIONS

Reed Soergel said he had talked to Dave Ice about installing a 1,500 gallon holding tank on his farm to be used for his wedding venues. Mr. Soergel stated he had just purchased a bathroom trailer to use instead of port-a-potties. Mr. Soergel stated Dave Ice didn't seem to have a problem with it since it is not a full time operation but is asking for the boards approval. Steinheiser stated it would be considered a temporary holding tank under the ordinance but told Mr. Soergel he would then have 18 months to get his testing done to install a sewage system. Mr. Menchyk, Jr. stated he could only be issued a 18 month permit and Mr. Soergel would have to have some alternative in place in 18 months because the permit is not renewable. Mr. Soergel said he thought Dave Ice told him if he did do the testing and it failed then he could have permanent holding tanks. Mr. Menchyk, Jr. stated that was incorrect, the township does not allow permanent holding tanks. Mr. Soergel stated having the holding tanks would eliminate the trucks having to come each weekend to pump. Mr. Menchyk, Jr. stated that is how the ordinance is.

PLANS

Cheryl Hughes and Ron Spangler were present to explain the Ron Spangler lot line revision plan. Ms. Hughes stated Mr. Spangler's lot was a part of a subdivision long ago and recently discovered that 7 ft. belonged to a neighbor therefore by correcting this Mr. Spangler will only have a 43.25 ft. right-of-way in a small area instead of the required 50'. Ms. Hughes also stated they were going to state on the mylar that no future development would be allowed on this property because the right-of-way is now less than 50' but Mr. Spangler changed his mind and would not like this provision on the mylar because it could restrict the possible development of other properties in the back of his property in the future. The board agreed they did not want this restriction placed on the mylar. Steinheiser motioned to approve the Ron Spangler lot line revision with no restriction placed on the mylar and granted the modification for providing contours on the plan and granted the modification for Section 245-19H which requires a fifty foot right-of-way. Rupert, seconded. Roll call, yes.

Cheryl Hughes was present to represent the Jake Dressler III subdivision plan. Ms. Hughes stated Mr. Dressler III is cutting off 10 acres of his farm to build a new house and has filed for a 10 acre sewage permit exemption since he owned the property since before 1987. Rupert questioned if in the future Mr. Dressler III decided to subdivide that 10 acres how would it be known that the lot already used the 10 acre exemption? Rupert suggested having a note on the mylar stating no more subdivision allowed. Bill Braun stated the DEP would catch that. Bill Braun noted a small part of this lot is in Lancaster Township but Ms. Hughes stated she brought this to Lancaster Township's attention but they said they didn't need to do anything with this. Steinheiser motioned to grant the modification for providing contours on the plan and approved the Jake Dressler, III subdivision plan for preliminary and final approval contingent on the 10 acre exemption being accepted by DEP. Rupert, seconded. Roll call, yes.

ENGINEER REPORT

Bill Braun stated the next step on the Act 537 Plan is to address all the comments then send them to the supervisors to review and include in the Plan to send to the DEP. Bill Braun also asked for approval of the Aerial Mapping Project needed for the Act 537 plan. Steinheiser stated this is a study of the geography of the land on how it lays. Mr. Grimme asked Bill Braun how exactly this would be done? Mr. Braun stated it will be done by a plane overhead and it is needed for the design of the plan. Steinheiser said it needs done and even though it costs money, the survey will not change and can be used any time in the future. Steinheiser stated this needs done when the foliage is off the trees so why wait until Fall? Mrs. Grimme was upset the supervisors were proceeding with this step to take her land over by eminent domain. Steinheiser said that is not the case, it just needs done to get a footprint of the township through an aerial view. Mrs. Grimme said she will fight to keep her property. Lee Kradel asked if the entire township was being mapped or only the areas being sewerred? Bill Braun said it would be too expensive to do the entire township only what is on the plan. Lee Kradel asked so how do you know what to map if the plan isn't final? Steinheiser said it would be for the whole plan in the Act 537 update. Mrs. Grimme said you don't want a sewage authority, public input and said this was all planned without talking to property owners. Mrs. Grimme said Steinheiser was proceeding, a conflict to what he said in the Butler Eagle. Steinheiser said he is not proceeding only trying to get the aerial mapping done so the engineers have a better idea to work with. Steinheiser said it must be completed. Steinheiser was ready to motion approval. Bill Braun stated the bid came in at \$39,200 to Keddal Aerial Mapping plus Senate Engineering will charge \$4,000 to set up control points. Chris Klink suggested waiting until Fall giving more time to listen to the residents. Steinheiser stated the aerial mapping done now will not change and the price won't go down and if the DEP comes in it will cost more. Steinheiser said we are not your enemy, we are trying to make this feasible and do the best we can. Steinheiser said this step needs done. Steinheiser motioned to approve Keddal Aerial Mapping to do the aerial view at a cost not to exceed their quote of

\$39,200 plus \$4,000 for Senate Engineering. Rupert seconded. Roll call, yes. Bill Braun stated the next closest bid came in at \$62,950.

Bill Braun stated the ARLE Grant has been approved by PennDot and now Senate Engineering is working on the bid package. Steinheiser said the ARLE (Automated Red Light Enforcement) grant will make traffic smoother along the corridor of Rt. 68. Evelyn Hockenberry asked how much the township is paying for this? Bill Braun said there is no cost to the township.

Secondly, Bill Braun said there is a proposed Cochran Subaru going in on Rt. 68 east of the Butler Farm Market which has gone through a Traffic Impact Assessment study through PennDot because they are requesting two driveways and two dealerships. Bill Braun stated they have not brought any plans to the township. Mr. Braun also stated they are requesting a left turn lane on Rt. 68. A resident asked how will they get sewage? Steinheiser said they may not, at this point it is just their proposal.

SOLICITOR REPORT

Andrew Menchyk, Jr. stated the Randy Toth citation has been filed and he is awaiting a hearing date.

CODE ENFORCEMENT REPORT

Steinheiser motioned to approve December, January and February invoice in the amount of \$226.95. Rupert, seconded. Roll call, yes. Report in the packets.

ROAD MASTERS REPORT

Steinheiser stated Kroll reordered 1,000 tons of salt for 2016-2017 and assumed he did this to get last year prices. However, Lee Kradel stated this is for the new contract of 2016-2017 which you can't order on this contract until August. Lee stated Ray Kroll could still purchase from last years' contract.

BUILDING PERMIT REPORT

Steinheiser stated there was one building permit applied for this month. It was:
3-16 - Tracey Fisher - Evans City Rd. - deck - 2-19-16

TAX COLLECTOR REPORT

NONE

SEO REPORT

NONE

MOTIONS & GENERAL INFORMATION

Steinheiser stated the Township received the Butler County Humane Society "Municipal Agreement". Steinheiser motioned to sign agreement and approve Dog Officer, Eugene Henry, to sign on Township's behalf. Rupert, seconded. Roll call, yes.

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

Brenda Davis was approved for \$750,000 surety bond on February 23, 2016.

Received letter dated February 25, 2016 from Civil & Environmental Consultants, Inc. (CEC) to inform that on behalf of R.E. Gas Development they are applying to the PA DEP for a Major Modification to the previously approved ESCGP-2 Permit for the Bloom Well Pad Project located at 949 Whitestown Rd. Information is on file at Township office.

MOTION TO ADJOURN

Steinheiser motioned to adjourn the meeting at 8:07 p.m. Rupert, seconded. Roll call, yes.