

Connoquenessing Township's Supervisors Meeting was called to order by Chairman, Terry Steinheiser at 7:00 p.m. on October 5, 2016 at the Connoquenessing Township Municipal Building. Present were Supervisors Terry Steinheiser and Ed Rupert. Ray Kroll did not attend. 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. Nineteen 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 September 1, 2016. Steinheiser motioned to accept the minutes of September 1, 2016. Rupert seconded. Roll call, yes.

Steinheiser mentioned Planning Meeting minutes for the month of August are in the supervisor packets.

#### **FINANCIAL REPORT**

Lee Kradel reported the beginning balance in the General Fund is \$379,181.54 but after deposits of \$88,955.65 and checks in the amount of \$75,915.40 are approved tonight the ending balance will be \$392,221.79. Lee Kradel stated the Escrow account beginning balance is \$29,321.75 but after deposits of \$1,160.00 and checks in the amount of \$750.00 are approved tonight, the ending balance is \$29,731.75. Lee Kradel said the Highway Aide beginning balance was \$260,285.05 but with interest of \$10.70, the ending balance is \$260,295.75. Lee Kradel stated the Act 13 Impact Fee fund beginning balance is \$586,475.64 but with interest of \$48.20 and a check in the amount of \$29,918.43, the ending balance is \$556,605.41. Steinheiser motioned to approve the financial report and pay the bills. Rupert seconded. Roll call, yes.

#### **COMMENT PERIOD - three minute limit**

\*NONE\*

#### **BIDS**

Brenda Davis opened two bids submitted for AS1 anti-skid. They were: McClymonds Supply & Transit at \$14.53/ton and Wolf Creek Holding Co. at \$18.44/ton. Mr. Menchyk, Jr. checked the bid bonds for each company and approved. Rupert motioned to accept McClymonds Supply & Transit bid of \$14.53/ton. Steinheiser seconded. Roll call, yes.

#### **REQUEST TO BE HEARD - three minute limit**

George White was present to inform the board of his new land development and asked if the \$5,000 standard commercial escrow could be lowered since he is only adding a 96 x 48 storage building with no sewage, water or electric onto his lot. After discussion, Rupert motioned to approve lowering the escrow amount to \$1,500.00. Steinheiser seconded. Roll call, yes.

#### **OLD BUSINESS**

\*NONE\*

#### **NEW BUSINESS**

\*NONE\*

#### **PLANS**

Bill Braun stated #1 Cochran is requesting preliminary and final approval on their Lot Line Revision Plan. Mr. Braun stated they are combining one 6.5 acre lot to a 3 acre lot to create a new 9.5 acre parcel. Mr. Braun stated they have been to the Planning Commission and they recommended approval and stated the plan meets all the technical aspects of the ordinance. Rupert motioned to approve the #1 Cochran Lot Line Revision Plan for preliminary and final approval. Steinheiser seconded. Roll call, yes.

Secondly, three consultants from #1 Cochran were present to ask for preliminary and final approval of their Land Development Plan for a Subaru car dealership to be located at 861 Evans City Rd. Steinheiser asked Bill Braun to explain the plan. Mr. Braun referred to his letter dated September 29, 2016: comments are as follows:

1. 245-13.G.7 - A 1,000 GPD on-site wastewater treatment plant is proposed and treated wastewater is to be recycled for use in the restrooms. This sewage disposal method must be approved by the PA DEP. Connoquenessing Township will require by agreement that when public sewage becomes available the treatment plant must be properly abandoned/removed and all sewage discharged to the public system.
2. 245-19.S.F. - Minimum curb radii of 40' is required per ordinance on the drives. A formal Request for Modification form has been submitted. We recommend approval of the modification.
3. 245-21 - In accordance with Chapter 149.2, a 25' Buffer Yard C is required where the subject property abuts residential lots. The requirements of Buffer Yard C should be shown on the plans. Requirements are shown in Chapter 149-2.B(3). Since

the existing vegetation is going to remain to satisfy the buffer yard requirements, a formal Request for Modification has been submitted. We recommend approval of the modification.

4. 245-49 - We concur with the itemized construction cost estimate for the improvements. The bond should be 110% of the estimate, therefore the amount should be \$2,054,471.10. If one or more of the utility companies require a similar type of surety, that utility can be deleted from the Township's bond.
5. The PennDOT Highway Occupancy Permit (HOP) application plans must be submitted for Township review. The HOP must be obtained for final approval.
6. As per Section 230-31 A. - Prior to final approval of the SWM plan and report, the applicant shall sign the Operation and Maintenance (O & M) Agreement (Appendix A) or similar agreement, covering all stormwater control facilities that are to be privately owned. The O&M Agreement shall be recorded with the SWM site plan and made a part hereto.
7. An NPDES Permit and E & S Plan approval must be obtained prior to final approval.

Rupert's main concern was the stormwater stating a bigger pipe across Rt. 68 would only cause more water to accumulate. A representative of #1 Cochran stated this is just for the requirement of our ordinance relating to the 100 yr. flood and called it an emergency type pipe. #1 Cochran stated their stormwater plan is extreme. Rupert stated he feels the board could possibly grant preliminary approval but there are too many contingencies. William Grey, the developer for #1 Cochran stated he has presented plans like this for 30 years and that several of these contingencies are post approval. Steinheiser stated he feels they should take care of their 7 contingencies before final approval. Mr. Grey stated there are only 3 major contingencies which were the DEP approval of the sewage, the HOP being approved and receiving their NPDES permit. Mr. Grey stated the modification requests (comments 2 & 3 from Mr. Braun's letter) would be considered approved when given preliminary approval. In addition, Mr. Grey stated the bond to be submitted to the Township for improvements and the O&M Agreement (comments 4 & 6) always comes in after final approval. Mr. Grey also stated he has never brought a plan to another municipality with an NPDES permit (comment #7) in hand before receiving approval. Mr. Grey was very adamant that they needed final approval to achieve getting these contingencies met. Steinheiser stated he is very concerned with the Rt. 68 corridor and their ability to receive an HOP. The board reviewed the 7 contingencies again and Steinheiser asked Mr. Braun what are the three top concerns. Mr. Braun stated: #1. Dep approval of their sewage plan, # 5. receiving an HOP and #7. receiving an NPDES permit. Mr. Grey reinforced that he can not meet these contingencies until he has final approval from the Township and requested final approval again. Rupert stated he did not feel comfortable with final approval because of the Rt. 68 corridor existing traffic problem and adding more congestion to the area. Mr. Grey said he would get a traffic study report completed and submit to the Township and stated he didn't feel the Township should hold back on final approval. Mr. Grey asked the board what exactly is #1 Cochran needing to do to receive final approval? Mr. Menchyk, Jr. stated the boards main concerns are showing some sort of agreement with the DEP in reference to their sewage plan, the HOP (traffic report) being received by the Township and the NPDES permit being received. Rupert motioned to approval the #1 Cochran Land Development Plan for preliminary approval, not final. Steinheiser seconded. Roll call, yes.

## **ENGINEER REPORT**

Bill Braun stated a letter dated September 12, 2016 was received from the DEP which was a "Compliance Notice" notifying Connoquenessing Township of their failure to develop, adopt, and implement a comprehensive Official Sewage Plan to address the sewage needs areas within our Township and stated within 15 days of the date of the letter, the Township must submit to the DEP a detailed written status report of the Connoquenessing Township Act 537 Plan. In addition, the DEP requests Connoquenessing Township to submit a final update revision to its Act 537 Plan within 120 days. Mr. Braun stated Mr. Menchyk, Jr. has responded to the DEP with a letter dated September 28, 2016 which requests an additional 60 days (total 180) for researching and reviewing existing data, advertise, reopen the comment period and have ample time to be voted on by the Supervisors. Bill Braun also shared with the public other avenues Connoquenessing Township took in looking at other options. They included:

1. The Brandywine Waste Water Treatment Plant (WWTP) study that was done when considering just covering the Rt. 68 corridor had to many negative aspects such as:
  - a. Effluent discharge would be to a very small receiving stream which results in more stringent effluent limits which could increase treatment costs and potentially result in permit violations. DEP has said they do not recommend this amount of discharge to the small tributary.
  - b. Site topography limits the amount of physical space to construct the large plant, driveway, parking areas, etc. steep slopes and could economically limit the site development size. This would result in increased operational cost including a more costly sludge disposal method.

- c. Expanding the existing WWTP using a modular approach could lead to operational issues resulting in permit violations. A WWTP expanded in a modular fashion could be difficult to modify if the Township were required to meet more stringent effluent requirements in the future. Limited space would also make the addition of tertiary treatment process difficult, if not impossible.
  - d. Limited space would make it very difficult and costly to keep the existing plant in operation while a new plant is being constructed adjacent.
  - e. Construction and maintenance costs would be similar to the plant location at Boy Scout Road which would have the ability to serve much more of the area by gravity instead of pump stations.
2. Considered another WWTP location approximately 1 mile downstream of the Boy Scout Road (along Shannon Rd. but construction costs would increase approx. \$1.5 million due to additional sewer line construction, creek crossing, road crossing, and larger pump station which would result in increased monthly user rates.

Bill Braun's recommendation is that the new WWTP be located along Boy Scout Rd. as is currently recommended in the Act 537 Plan. Bill Braun stated DEP has provided some additional comments such as additional sewage surveys to confirm more failing systems, better description/documentation of the number of EDU's listed for next 5 years only. Bill Braun told the board with their direction/approval, Senate can address the DEP comments, revise the Plan accordingly and advertise again for public comment. Charlotte Grimme said, "they'll fight this". Steinheiser said he understands but the plan needs to progress for the better of the whole community. Mrs. Grimme looked at Mr. Menchyk, Jr. and said she had withdrawn her right-to-know "in good faith" that when the plan moved forward she would know and be involved. Rupert told Mrs. Grimme the Act 537 Plan was just on the agenda under "engineer report" and nothing was being voted on. Mrs. Christine Klink asked if the property owners of the failures that were listed in the present Act 537 Plan have been notified or sited for their malfunctions? Mrs. Klink said the problem systems should be corrected and not make the whole community get public sewage. Mrs. Klink also stated the DEP is only asking for a Act 537 Plan, not mandating public sewage. Steinheiser stated some systems may not be able to be repaired and if the supervisors don't move forward with the plan (per DEP letter) the DEP may come in and it will cost the residents more. Mrs. Grimme said, "why not go to BASA"? Steinheiser said it would cost \$7,000 instead of \$3,000 to hook in and asked her if she wanted that? Mrs. Grimme said she doesn't want it on her land. Mrs. Grimme told Mr. Menchyk, Jr. she had been betrayed by him and the right-to-know that she withdrew months ago in good faith just wasted her time and now she needs to resubmit. Mrs. Grimme felt she has been lied to because she was to be part of the planning process. Steinheiser said the Township was just looking into all the options and found that the other options will not work. Steinheiser told Mrs. Grimme there is no decision being made tonight.

Bill Braun stated the Township received a letter from Ron Conrad, President of the Brandywine Village Condo Association wanting the additional roads in Springfield Court, Winchester Court and Kensington Court be adopted. Mr. Braun stated these roads were not constructed per our ordinance requirements, for example the roads should have been 50 ft. wide, buildings should have 75 ft. front setbacks and the right-of-way diameter at a cul-de-sac is 100' making the buildings on the cul-de-sac in violation of the setbacks. Mr. Braun stated several buildings would be less than 10' from the right-of-way line but most buildings are in violation of the front setback requirement. Steinheiser made a motion to not adopt the roads based on the roads not meeting our ordinance specifications. Rupert seconded. Roll call, yes. The board asked Mr. Menchyk, Jr. to send a letter to Mr. Conrad with the board's decision. Calvin Wonderly asked the board who would have made this decision to keep those roads from being adopted? Steinheiser stated he did not know but that it was on their plan.

#### **SOLICITOR REPORT**

Mr. Menchyk, Jr. updated on the Bryan Hartman hearing concerning him fencing in the school blinking lights and fire hydrant and letting his geese and pony leave his property. Mr. Menchyk, Jr. stated Judge Horan ruled in the Township's favor and Mr. Hartman has to remove the fence from around the blinking lights and fire hydrant and keep his geese and pony on his property. Mr. Menchyk, Jr. stated no monetary amount was awarded to the Township but is satisfied with the outcome.

#### **CODE ENFORCEMENT REPORT**

\*NONE\*

#### **ROAD MASTERS REPORT**

\*NONE\*

**BUILDING PERMIT REPORT**

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

42-16 - Jeff Stirling - Timberlee Dr. - porch - 9-9-16  
43-16 - Jeff Kennedy - Prospect Rd. - porch/roof - 9-23-16  
44-16 - Jake Dressler IV - Woodlands Rd. - garage - 9-30-16  
45-16 - Ronald Took - Stevenson Road - double wide - 10/4/16

**TAX COLLECTOR REPORT**

\*NONE\*

**SEO REPORT**

\*NONE\*

**EMERGENCY MANAGEMENT COORDINATOR REPORT**

\*NONE\*

**MOTIONS & GENERAL INFORMATION**

Steinheiser mentioned the BCATO 2016 Fall Convention will be held at the Slippery Rock Municipal Center on October 25, 2016. Registration is at 6:00 P.M. Steinheiser motioned to approve and pay for all Township Officials to attend for \$20.00/each. Rupert seconded. Roll call, yes.

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

Connoquenessing Volunteer Fire Dept. will hold their Halloween Parade on Sunday, October 30, 2016. Line up is 1:30 p.m. - Parade begins at 2:00 p.m. In addition, Connoquenessing Township will hold their Trick-or-Treat on Monday, October 31, 2016 from 6:00 p.m. - 7:00 p.m.

Received letter dated September 21, 2016 from Rex Energy to notify that Permit Applications for Drilling or Altering a Well are being submitted to the PA DEP for the Kern Unit's 1H and 3H natural gas wells located in Center Township. Information is on file at Township office.

Received letter dated September 29, 2016 from Thousand Hills, LLC notifying that they intend to apply to the PA DEP for air quality plan approval for Thousand Hills, LLC located at 318 Woodlands Rd., Evans City to be used as a crematory that cremates large animals up to 1600 pounds. Comments on the above can be sent within 30 days of this letter to DEP. Information is on file at Township office.

**MOTION TO ADJOURN**

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