

The Penn Township Board of Supervisors met this evening at the Penn Township Municipal Building, 157 East Airport Road, Butler, PA 16002 at 7:30 P.M. with the Interim Chairman, Samuel M. Ward, presiding. Also, present were Supervisors, Douglas A. Roth and Jason L. Campagna.

Township Manager, Gregory A. Primm and seven Township residents were also present.

Organizational Meeting

Chairman Pro Tem

Motion by Supervisor Ward and seconded by Supervisor Roth that Gregory A. Primm be nominated for Chairman Pro Tem. There being no further nominations or questions or comments from the floor, the motion carried and the Chairman assumed his duties.

Chairman

Chairman Pro Tem, Gregory A. Primm, asked for a nomination for Chairman for the year 2002. Motion by Supervisor Roth and seconded by Supervisor Campagna that Samuel M. Ward be nominated for Chairman. There being no questions or comments from the floor, the motion carried. There being no further nominations, Mr. Ward was elected Chairman for the year 2002.

At this point in the meeting, Supervisor Ward assumed the duties of Chairman.

Vice Chairman

Motion by Supervisor Ward and seconded by Supervisor Campagna that Douglas A. Roth be nominated Vice Chairman. There being no questions or comments from the floor, the motion carried. There being no further nominations, Mr. Roth was elected Vice Chairman for the year 2002.

Township Manager

Motion by Supervisor Campagna and seconded by Supervisor Ward that Gregory A. Primm be reappointed Township Manager for the year 2002 resolving his salary be set at \$52,780.00. There being no questions or comments from the floor, the motion carried.

Treasurer's Bond

Motion by Supervisor Ward and seconded by Supervisor Roth that the Board of Supervisors set the Treasurer's Bond at \$850,000.00 for the year 2002 plus approval to renew the Fidelity and Position Bond in the amount of \$100,000.00.

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Vacancy Board Chairman

Motion by Supervisor Ward and seconded by Supervisor Campagna that John B. Sirkoch be reappointed Chairman of the Vacancy Board for the year 2002. There being no questions or comments from the floor, the motion carried.

Solicitor

Motion by Supervisor Ward and seconded by Supervisor Roth that the Lope Law Offices, Philip P. Lope, Esquire be reappointed as Township Solicitor for the year 2002. Mr. Smith of Dodds Road asked how much per hour the solicitor is paid. There being no further questions or comments from the floor, the motion carried.

Depository

Motion by Supervisor Ward and seconded by Supervisor Campagna that Citizens National Bank, Saxonburg Office, be reappointed depository for township funds including interest-bearing accounts in the PA Local Government Investment Trust for the year 2002. Mr. Smith of Dodds Road asked if our bank permits residents to go in and review bank records of the municipality. There being no further questions or comments from the floor, the motion carried.

Sewage Enforcement Officer

Motion by Supervisor Ward and seconded by Supervisor Roth that Michael K. Corle be reappointed Sewage Enforcement Officer for the year 2002. Hagan and Ron Smith both voiced their objections to this reappointment. There being no further comments or questions from the floor, the motion carried.

Alternate Sewage Enforcement Officer

Motion by Supervisor Ward and seconded by Supervisor Campagna that Kim Corle be reappointed as Alternate Sewage Enforcement Officer for the year 2002. Hagan and Ron Smith both objected to this reappointment. There being no further comments or questions from the floor, the motion carried.

Animal Control Officer

Motion by Supervisor Ward and seconded by Supervisor Roth

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Planning Commission

Motion by Supervisor Ward and seconded by Supervisor Campagna to reappoint Bert Mowry to the Penn Township Planning Commission for a four-year term. Mr. Smith of Dodds Road wanted to know why no one else in the township is ever considered for appointment to the various boards and committees. There being no further questions or comments from the floor, the motion carried.

Hearing Board

Motion by Supervisor Ward and seconded by Supervisor Roth that John Schuster be reappointed to the Penn Township Zoning Hearing Board for a three-year term. There being no questions or comments from the floor, the motion carried.

Board of Auditors

Motion by Supervisor Ward and seconded by Supervisor Campagna that Mary Moore be reappointed as a member of the Board of Auditors. There being no questions or comments from the floor, the motion carried.

Alternate Hearing Board Member

Motion by Supervisor Ward and seconded by Supervisor Roth that John Sirkoch be reappointed as a voting alternate member of the Penn Township Zoning Hearing Board. There being no questions or comments from the floor, the motion carried.

Zoning Hearing Board Attorney

Motion by Supervisor Ward and seconded by Supervisor Campagna that Springer, Bush & Perry be appointed Attorney for the Zoning Hearing Board for the year 2002. Hagan Smith wanted to know if we interview our legal counsel on their knowledge of the constitution. There being no further comments or questions from the floor, the motion carried.

Tax Rate

Motion by Supervisor Ward and seconded by Supervisor Roth the Tax Rate for general purposes be set at 3.0 Mills and the Tax Rate for fire purposes be set at 2.0 Mills for the year 2002. There being no questions or comments from the floor, the motion carried.

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Per Capita Tax - Continued

should be held separately. There being no further comments or questions from the floor, the motion carried.

Real Estate Transfer Tax

Motion by Supervisor Ward and seconded by Supervisor Roth the Penn Township 1% Real Estate Transfer Tax be reenacted under Act 511 for the year 2002. There being no questions or comments from the floor, the motion carried.

Wages - Salaries - Police Deartment

Motion by Supervisor Ward and seconded by Supervisor Campagna that compensation for the police department be set under the 3rd year of their 5-year contract according to the Collective Bargaining Agreement, specifically Addendum #1:

Timothy J. Morando, Sgt. - \$17.44/hr
Jack D. Ripper, 1st Year Patrolman - \$12.02/hr
Stephen R. Setnar, Patrolman - \$10.82/hr
Cheryl A. Cranmer, Patrolman - \$10.82/hr
Shawn Kotchey, Patrolman - \$10.82/hr
Scott Ponteri, Patrolman - \$10.82/hr

There being no questions or comments from the floor, the motion carried.

Wages - Salaries - Miscellaneous Employees

Motion by Supervisor Ward and seconded by Supervisor Roth that compensation for the miscellaneous employees be set as follows for the year 2002:

Linda D. Furka, Administrative Assistant - \$15.56/hr
Clinton A. Bonetti, Land Use Administrator - \$16.66/hr
Clinton A. Bonetti, Snow Removal, \$15.00/hr

Hagan objected to the Land Use Administrator not being a building inspector and enforcing BOCA. He wants competent building inspections. He does not object to Clinton, but objects to having no building inspections. There being no further comments or questions from the floor, the motion carried.

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Wages - Salaries - Road Department

Motion by Supervisor Ward and seconded by Supervisor Campagna that compensation for the road department employees be set as follows for the year 2002:

Rodney R. Myers, Laborer - \$16.91/hr

Dennis J. Bogan, Laborer - \$15.16/hr

There being no questions or comments from the floor, the motion carried.

Payroll

Motion by Supervisor Ward and seconded by Supervisor Roth that the payroll period end on Saturday and be paid bi-weekly. There being no questions or comments from the floor, the motion carried.

Resolution #285 "FEE SCHEDULE FOR PENN TOWNSHIP SERVICES"

The Township Manager read Resolution #285 FEE SCHEDULE FOR PENN TOWNSHIP SERVICES FOR THE YEAR 2002 which include the following:

- a. Building Permit Fees
- b. Grading Permit Fees
- c. Site Plan Review Fees
- d. Septic Permit Application Fees
- e. Sign Permit Fees
- f. Highway Occupancy Permit Fees
- g. Soliciting Permit Fees
- h. Lien Letter Fees
- i. Faxed Lien Letter Fees
- j. Police Reports
- k. Xerox Copies
- l. Staff Research Fees
- m. Zoning Hearing Fees
- n. Conditional Use Hearing Fees
- o. Amendments to the Zoning Ordinance Fees
- p. Zoning Ordinance Books
- q. Subdivision and Land Development Regulations
- r. Stormwater Management Books
- s. Tax Certifications (to be paid directly to the tax collector)
- t. Zoning Certifications
- u. Subdivision Filing Fees
- v. Floodplain Verification Letters

Meeting Nights

Motion by Supervisor Ward and seconded by Supervisor Roth to set the meeting nights to be the first and third Tuesday of every month with the exception of Election Days, May 20 and November 4. Times for the meeting will be 7:00 P.M. workshop, 7:30 P.M. regular meeting and post-workshops after the meeting. There being no questions or comments from the floor, the motion carried.

Purchase of Supplies and Equipment - Road Department

Motion by Supervisor Ward and seconded by Supervisor Campagna that department head, Douglas A. Roth, be authorized to spend up to \$400.00 per month for the purchase of supplies and equipment for the Road Department. There being no questions or comments from the floor, the motion carried.

Police Uniforms

Motion by Supervisor Ward and seconded by Supervisor Roth to set the uniform allotment at \$450.00 to each full-time officer and \$250.00 to each part-time officer according to their respective collective bargaining agreements. There being no questions or comments from the floor, the motion carried.

Auto Expense

Motion by Supervisor Ward and seconded by Supervisor Campagna to set the mileage expense for travel at \$.365 per mile for the year 2002. Mr. Smith asked if employees are required to submit documentation for their mileage. There being no further questions or comments from the floor, the motion carried.

Budgeted Line Item

Motion by Supervisor Ward and seconded by Supervisor Roth to require approval by the Board of Supervisors to exceed individual budgeted line items. Mr. Smith inquired about this motion and it was explained to him. There being no further questions or comments from the floor, the motion carried.

State Association of Township Supervisors

Motion by Supervisor Ward and seconded by Supervisor Campagna to authorize attendance at the annual PSATS Convention in Hershey, PA and to have Douglas A. Roth as the voting delegate. Hagan Smith objected to the Township attending this convention. There being no further comments or questions, the motion carried.

Closing of the Books for 2001

There being no other business, motion by Supervisor Ward and seconded by Supervisor Roth, the books for 2001 be closed and presented for audit. There being no questions or comments from the floor, the motion carried.

Advertise Meetings for the Year 2002

Motion by Supervisor Ward and seconded by Supervisor Campagna that the Township Manager be authorized to advertise meetings for the year 2002 for the Board of Supervisors, Planning Commission and Committee Meetings. Hagan Smith recommended that these meetings be posted permanently for the year. There being no other comments or questions from the floor, the motion carried.

Township Engineer

Motion by Supervisor Ward and seconded by Supervisor Roth that Keller Engineers of Hollidaysburg be reappointed as township engineers for the year 2002. Hagan Smith objected to Keller Engineers as they are too far away. There being no other comments or questions from the floor, the motion carried.

Resolution #286 POLICE PENSION FUND

The Township Manager read Resolution #286 POLICE PENSION FUND to suspend for 2002 any deduction of police officer's compensation for payment to the police pension fund. Motion by Supervisor Ward and seconded by Supervisor Campagna that Resolution #286 POLICE PENSION FUND be approved. Mr. Smith inquired about this resolution and what it meant. There being no further questions or comments from the floor, the motion carried.

Adjournment - Organizational Meeting

Motion by Supervisor Ward and seconded by Supervisor Roth that the Organizational Meeting be adjourned and the regular meeting of the Board of Supervisors be called to order. There being no questions or comments from the floor, the motion carried.

The Organizational Meeting adjourned at approximately 8:30 P.M. At this time, the regular meeting of the Penn Township Board of Supervisors was called to order.

Minutes - 12-18-01

Motion by Supervisor Roth and seconded by Supervisor Campagna there being no additions or corrections the minutes of the

Correspondence

None.

Seminars

The following seminar has been scheduled:

Police Services in Small Communities, 02/02/02, Comfort Inn, Greensburg, P A

Motion by Supervisor Campagna and seconded by Supervisor Roth that all those involved be authorized to attend. There being no questions or comments from the floor, the motion carried.

Treasurer's Report

The Township Manager read the Treasurer's Report and presented the list of invoices paid since the last report was given on December 18, 2001. Township Fund: \$50,812.31, Fire Tax Fund: \$2,368.02. Deposits into the various Township funds totaled \$30,991.84. Balances were read as follows: Township Fund: \$216,047.12, Fire Tax Fund: \$34,065.83, State Fund: \$6,550.42, Municipal Pension Fund: \$149,684.76, Police Pension Fund: \$663,133.53. Motion by Supervisor Roth and seconded by Supervisor Campagna that the Treasurer's Report be approved. Hagan Smith objected to the Treasurer's Report. He stated he wants each individual check presented showing to whom it was payable and the amount. There being no further comments or questions from the audience, the motion carried.

Zoning Department

The Township Manager read a letter dated December 17, 2001 from the Butler County Planning Commission who gave a favorable review to the following plan with comments at their regular meeting dated December 12, 2001:

Callen Plan - 1 lot and remnant

BCPC did not receive on-site sewage information as per Act 537 requirements.

BCPC did not review rights and responsibilities for right of way and there was no township road number for Forest trail.

Clinton Bonetti, Land Use Administrator, presented his monthly zoning report for December 2001. There were 9 building permits issued for a total of \$1,338.00, 3 Highway Occupancy Permits issued for a total of \$135.00, 2 Septic Applications issued for a total of \$600.00, 10 Lien Letters issued for a total of \$110.00, 2 Land Development Applications were filed for a total of \$50.00 and 1 Ordinance Book sold totaling \$20.00. Total zoning fees for December 2001 were \$2,253.00.

Police Department

The Township Manager read the police report for December 2001 as prepared and submitted by Administrative Assistant, Linda D. Furka. Mrs. Furka also presented to the Board the 2001 Annual Police Reports for their review.

Road Department

Supervisor Roth stated he talked to the police about getting a warning card to place on windshields regarding snow removal and parking.

Recycling Report

Supervisor Roth reported that an incident took place behind the fire hall when a man went to put his Christmas tree for recycling. There was a hole in the lot and he fell in. He advised this needs to be fixed before someone gets hurt.

Public Relations Department

Burning - Huselton, will hopefully have something from the solicitor by the next meeting.

Old Business

Township Manager, Greg Primm, read a letter from John and Karen Trempus about a Variance Hearing that was held without proper notification to them or neighbors. The variance applicant contacted everyone on Powell Road about her intention of opening a Bed and Breakfast and Banquet Facility. Mr. and Mrs. Trempus request the Board vote the same as the Planning Commission and turn down the proposed Bed and Breakfast and Banquet Facility. They were also unhappy because they never received their notice from the township. The Township Manager stated that it must have been an oversight and we are taking steps to prevent this from happening again, possibly requiring notices to be sent by certified mail.

New Business

The Township Manager read a letter dated December 26 from the Butler County Board of Commissioners requesting the Township pass a resolution for Butler County Tourism and Convention Bureau.

Resolution #287 Butler County Tourism and Convention Bureau -

The Township Manager read Resolution #287 Butler County Tourism and Convention Bureau. Motion by Supervisor Campagna and seconded by Supervisor Roth to table this until the next meeting to determine what benefits this would provide to the

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Act 537

No report.

Audience Participation

Hagan Smith- of Dodds Road, asked the board if they were aware of the hearing the prior week. The Board acknowledged that they were aware of what was agreed upon in his request to receive documents. Mr. Smith presented (2) two requests for documents from the Board and asked Supervisor Ward to sign them. Mr. Ward agreed but stated that the letter we received from our Solicitor stated that he was to send requests to Mr. Lope directly. He stated that he would do that in the morning. He again complained and demanded to know who gave the order early last year to send letters to the businesses in the township that were damaging to him and his business. Supervisor Roth stated that that issue was settled in court last year and they were not damaging. Mr. Smith stated that the Judge agreed they were damaging and Mr. Roth stated that he attended the hearing and that is not what the Judge said at all, we offered to not send anymore letters out and the Judge stated that is fine and therefore would be his order and the matter was settled. Mr. Smith stated that he is still being harassed about the letter because people blame him for no commercial burning. Ron Smith stated that he is tired of being called an asshole and he would take matters into his own hands if they continued to harass he and his father. Supervisor Ward advised Ron Smith that he should not take matters into his own hands. Mr. Smith stated that the police are still going around to businesses blaming him and it better stop because they are defaming him. Mr. Ward stated that certainly he would hope this not to be the case because we have professional police officers but they would be informed of his allegations.

Supervisor Ward seeing no further audience participation requested a motion to adjourn. Motion offered by Supervisor Roth and seconded by Supervisor Campagna. There being no questions or comments from the floor, the motion carried.

The meeting adjourned at approximately 9:30 P.M.

Approved:

Respectfully Submitted:

Samuel M. Ward

Gregory A. Primm