

Tuesday, May 7, 2002

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

Township Manager, Gregory A. Primm and 22 Township residents were also present.

Minutes - 04-02-02

Motion by Supervisor Roth and seconded by Supervisor Campagna that there being no additions or corrections to the minutes of the meeting held Tuesday, April 2, 2002 they be unanimously approved as presented. There being no questions or comments from the audience the motion carried.

Correspondence

Honorable Jane Orié, State Senator - Letter dated April 25 stating as the new State Senator of the 40th District she wants to meet personally with the township officials and residents. Since her session conflicts with the township meetings, she was having her representative attend the next meeting. Sharon Cochran, a representative of Senator Orié's office was present to introduce herself and offer Senator Orié's assistance when needed.

The Butler County General Authority - Letter dated April 3, they are advising that the General Authority's informational meeting is May 9 at 5:00 p.m. at the Middlesex Township Building.

PSATS News Bulletin - Dated March 2002 with articles on Introducing the new PSATS News Bulletin, Building Code Update, Governor Declares Drought Emergency, Proposals Attempt to Address Concerns with Act 2 of 2002, Lawmakers Act on Legislation that would Affect Townships, Bill Would Eliminate Requirement for Delinquent Taxpayer Ordinance, Governor Signs New Laws - Acts amend the Township Code, State Liquor Code, Bill Would Change Earned Income Tax to personal Income Tax, PSATS Needs Your Help with MPC Bill,

Tuesday, May 7, 2002

Correspondence - Continued

Delegates to Elect PSATS' Officers, PSATS Testifies on Water Resources Legislation, Planner's Seminar to be Held at State Convention. Also included were the proposed Resolutions for 2002.

Legislative Locator - Dated March 2002 on New Legislation, SB Amends the Borough Code, SB Amends the Second Class Township Code, SM Amends the Real Estate Tax Sale Law, SB Amends the Borough Code, HB Amends the Liquor Code, HB Amends the Second Class Township Code, and HB Amends the Local Tax Collection Law. Other breaking news on Open Records Legislation Passes House. The following are bills on the move: Tax Levy for Police Services, Appropriation for Fire and Emergency Services Employees, Home Rule Option During Consolidation and Merger, Open Work Force Law, Salaries of Nonunion Police Officers, Amendment to the Optional Occupational Tax Elimination Act, First Class Township Code Amendments, Use of a Laser Pointer, Recycling Fee Sunset Removed, and Growing Greener Funding.

Attorney, Thomas W. King, III - Letter dated April 16 regarding lease from South Butler County School District to Penn Township for Three Baseball Fields. Since Penn Elementary School has been sold to the North Main Street Church of God, the lease agreement for the ball fields is null and void as per the agreement, which requires the nullification of the agreement in writing.

South Butler County School District - Letter dated April 11 informing the township that they voted at their meeting held April 10 to sell Penn Elementary School to the North Main Christian School. They also authorized the termination of the lease agreement with the Penn Township Baseball Association for the use of the baseball fields.

Tuesday, May 7, 2002

Seminars

The following seminars have been scheduled:

Local Government Leadership Summit, 06/27 - 28, Beaver Falls Holiday Inn

Penn Dot's Agility Program, 06/04, Cranberry Township Council Chambers, 8:30 a.m. - 12:00 p.m.

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

Treasurer's Report

The Township Manager read the list of invoices paid since the last report was read on April 2, 2002. Township Fund: \$83,376.46, Fire Tax Fund: \$16,813.42. Deposits into the various Township Funds totaled \$307,844.19. Balances were read as follows: Township Fund: \$382,344.82, Fire Tax Fund: \$58,884.30, State Fund: \$161,922.82, Municipal Pension Fund: \$146,675.20, Police Pension Fund: \$635,847.15. Motion by Supervisor Roth and seconded by Supervisor Campagna to approve the Treasurer's Report. There being no questions or comments from the audience, the motion carried.

Mr. Primm also presented the Budget Analysis for the Township Fund.

Zoning Department

Springer Bush & Perry P.C. - Letter dated April 9 on 2002 Municipalities Planning Code Amendments that were signed into law by Governor Mark Schweiker.

- A. A member of a governing body may serve as a hearing officer on a conditional use application.
- B. Attorneys may serve as hearing officers.
- C. Compensation for planning commission members.
- D. Public notice requirements for a zoning map amendment.

Tuesday, May 7, 2002

Zoning Department - Continued

- E. Failure of a governing body to schedule a hearing on or act upon a curative amendment within required time periods will constitute a deemed denial.
- F. Decisions on planned residential development applications must be made within 180 days of application.
- G. New time requirements for the completion of public hearings before zoning hearing boards and governing bodies.

Clinton Bonetti, Land Use Administrator, read his zoning report for April 2002. 13 Building Permits were issued for a total of \$1,594.00, 3 Sign Permits were issued for a total of \$486.00, 3 Highway Occupancy permits were issued for a total of \$135.00, 6 Septic Applications were issued for a total of \$2,325.00, 12 Lien Letters were issued for a total of \$130.00 and 1 Zoning Compliance Letter was issued for a total of \$15.00. Total zoning fees for April 2002 were \$4,685.00.

Mr. Bonetti also reported that the 1st Monday in June the Planning Commission will hold the Comprehensive Plan Hearing at 7:30 p.m.

Police Department

The Animal Control report for March was prepared by Animal Control Officer, Dennis B. Sybert and presented to the Board.

The Township Manager presented to the Board a quote obtained by Sgt. Morando from Babe Charapp Ford under the SHACOG contract for a 2003 Ford Crown Victoria Police Interceptor as \$20,289.00, plus options, including a Whelen light bar, alley lights, takedowns, LED and built-in arrow stick with control/Whelen siren and switch control panel/100 watt speaker of \$2,850.00. Total for vehicle with options is \$23,139.00. Motion by Supervisor Campagna and seconded by Supervisor Roth that the above described

Tuesday, May 7, 2002

Police Department - Continued

vehicle from Babe Charapp Ford for a 2003 Ford Crown Victoria Police Interceptor with options be purchased for a total of \$23,139.00. There being no questions or comments from the audience, the motion carried.

The Township Manager read a letter dated April 2002 from MADD who issued a Certificate of Appreciation to Sgt. Timothy M. Morando for his DUI arrests in 2001.

The police reports for March and April 2002 as prepared by Linda D. Furka, Administrative Assistant, were read to the Board.

Road Department

Supervisor/Road Superintendent Roth presented the COG spring commodities bid results.

Vice Chairman Roth spoke to Penn Dot in reference to the traffic light at Rt. 8 and Airport Road. Penn Dot completed their study and suggested several different things that could be done to make the lights more visible including "signal ahead" signs, clean the backings, install LED's, install strobe lights, check adjustments. Vice Chairman Roth decided to check into LED lights and is in the process of obtaining quotes/prices and will report at the next meeting.

Motion by Supervisor Roth and seconded by Supervisor Campagna that the summer road projects be advertised for bid. There being no questions or comments from the audience, the motion carried.

Recycling Report

Recycling Coordinator, Doug Roth thanked Kelly Klasnick for litter pickup on Old Plank Road. He stated approximately 1,000 pounds of litter were picked up.

Tuesday, May 7, 2002

Public Relations Department

No report.

Old Business

Soccer Fields Decision - On March 11 the Penn Township Planning Commission made a recommendation for approval of the Conditional Use of property located at Beacon and Meridian Roads for the Private Membership Club. On April 2, the Penn Township Board of Supervisors held a public hearing on the request. Motion by Supervisor Roth and seconded by Supervisor Campagna that the Conditional Use be approved with the following conditions:

1. No field lighting.
2. Bleachers can only be three seats high.
3. No illuminated scoreboard.
4. No amplification of music or human voice.
5. No parking on Beacon or Meridian Roads; adequate on-site parking must be provided and be in accordance with the storm water management plan.
6. Toilet facilities must be issued a permit from the Township Sewage Enforcement Officer and removed when soccer is not in season.
7. A 6-foot high fence must be placed on the Southern and Northern borders of the property and the Eastern border should have a fence placed within the vicinity of the soccer fields for safety.
8. The fence may be open on the Forward Township side (Western border) near the Beacon Hotel for overflow parking and alternative access to the soccer fields.
9. Spring, Summer, Fall and Winter hours should be from 8:00 a.m. to dusk.
10. No buildings, electric service, utilities are permitted without additional conditional use approvals.
11. Must submit the non-profit articles of incorporation to the township and provide a yearly certificate of insurance.
12. Must have a gate at the entrance.

Tuesday, May 7, 2002

Old Business - Soccer Fields - Continued

13. Must comply with section 13.1.16:
 - a. The club qualifies as an organization of Persons incorporated pursuant to the provisions of the membership corporation law or the benevolent orders law, which is the owner lessee, or occupant of an establishment operated solely for a recreational, social, patriotic, political, benevolent, education, or athletic purpose, but not for pecuniary gain, or is the applicant to permit to operate such an establishment.
 - b. That under the constitution or by-laws of the club, the privileges of the club are in fact, or will be, limited to a bona fide regularly-enrolled, dues paying members and guests accompanying them.
 - c. That the club is in fact, or will be conducted as reasonably to safeguard the peace and comfort of the neighbors.
 - d. The club will not be used in whole or in part for the conduct of any business or enterprise for profit, but this requirement shall not be construed to prevent the utilization or rental of such club or parts thereof for benefits or performances for recognized charities, not for the meetings of other organizations, nor for the educational and cultural purposes.
 - e. The permit shall be issued for a period of no longer that five (5) years, renewable under like conditions at the discretion of the Supervisors.
 - f. No residential accommodations except for a Manager and his family shall be permitted.

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

The Board responded to Walter and Linda Dawson's request to close Old Route 8 off of Dinnerbell Road. Mr. Dawson addressed the Board to further his case to abandon the

Tuesday, May 7, 2002

Old Business - Continued

road. Marlin Pentz whose property borders Dawson's also voiced his support to close the road. Vice Chairman Roth stated that Penn Dot should be contacted for HOP review and that a resident on Old Rt. 8 South of Dinnerbell has voiced his concerns over having it shut down because he depends on using it to travel north on Rt. 8. The Board directed the Township Manager to contact the Solicitor on the matter and it was tabled until a later date.

The Fire Department is requesting approval to hold a fireworks display at the 2nd annual Classic Car Show with an added hangar dance on Sunday, June 23 from 11:00 a.m. - 10:00 p.m.

New Business

Motion by Supervisor Campagna and seconded by Supervisor Roth that Dennis Crawford, Jr. be hired as a part-time police officer at a salary of \$10.82 an hour. There being no questions or comments from the audience, the motion carried.

The Penn Township Veterans Association requested a donation for \$250.00 for their Memorial Day activities. Motion by Supervisor Roth and seconded by Supervisor Campagna that the Board donate \$250.00 to the Penn Township Veterans Association. There being no questions or comments from the audience, the motion carried.

The Township Manager reported that Michael Offley from the Cub Scouts would like to hold a bicycle rodeo at the Municipal Building parking lot. After some discussion, it was decided to have Mr. Offley look at the parking lot and that he would find it probably would not be big enough for his function.

Vice Chairman Roth and Supervisor Campagna reported on the State Convention attendance and the sessions attended as well as the long list of speakers.

Tuesday, May 7, 2002

New Business - Continued

Mr. Primm submitted to the Board for their review a draft of the proposed Township Emergency Operating Procedures.

Act 537 Update

A letter dated April 1 was received from Bill Crawford of DEP. He stated they received the draft update revision to Penn Township's Official Sewage Plan proposing sewage be pumped from the Northwest portion of the Township to the Butler Area Sewer Authority (BASA) for treatment and disposal as an alternative to construction of a new sewage treatment facility discharging to Connoquenessing Creek. Several issues need to be addressed before the draft update revision is finalized and offered for public comments:

1. We note that the scope of the initial sewer service area has been reduced from the scope, which was included in the Township's 1994 plan. If needs do not exist in these areas, the Department has no objection to them being deleted from the sewer area. However, needs were last determined in a survey conducted in 1992. A re-evaluation and documentation of needs is therefore required for certain areas as shown on the attached map. A house to house (commercial buildings, too) survey by the Township's Sewage Enforcement Officer or other qualified individual is required. Results of the visual survey should be plotted on a map and considered in the Plan.

2. We note that the estimated cost to construct a 0.25 MGD treatment plant has been increased from \$0.72M (including the lift station at the plant headworks) in the July 2001 draft report to \$1.77M in the November 2001 draft. In addition, the cost estimate for 8" sewer lines was doubled as was the estimated engineering fees. What is the reason for these increases?

3. Has an emergency generator been included in the cost calculations for both the BASA pump station alternative and the Township's sewage treatment plant alternative?

Tuesday, May 7, 2002

Act 537 Update - Continued

4. It appears both alternatives are designed with capacity to handle only the initial user base. To build facilities without capacity for growth would seem short-lived, as some growth is certain to occur. The design capacity of the alternatives must be re-evaluated to provide for reasonable future demands.

5. Page K-1 of the draft plan contains discussion of sizing requirements for the proposed pump station to BASA based on average flows. As mentioned in the Domestic Wastewater Facilities Manual, wastewater pumping stations must be sized around the anticipated peak instantaneous flow. Please check if the sizing and estimated costs of the pump stations and force main included this design feature.

6. A cost effectiveness analysis of alternatives is needed. The alternatives (BASA tie-in vs. construction of a new township sewage treatment plant) must be compared both from the total project cost and annual operating and maintenance costs standpoints. Only the more cost-effective alternative, based on a present worth analysis, will be eligible for PennVest funding. To make a fair comparison between alternatives the costs for operation and maintenance of the BASA alternative must be estimated and included regardless of what entity incurs the costs.

7. Based on BASA's letter of November 30, 2001, it is possible Penn Township flows may exacerbate problems in the BASA system. Every effort should be made to coordinate the possible future connection date with BASA's corrective action plan so as to minimize overflow problems. Please review and coordinate your proposed implementation schedule with BASA before finalizing it.

8. Since it is possible BASA will continue to be subject to connection restrictions well after Penn Township's tie-in, it is important to consider the issue of new construction in the future Penn Township sewer area. New home or business construction at that point will be subject to BASA's overall system restrictions.

Tuesday, May 7, 2002

Act 537 Update - Continued

9. While environmental consistency was documented for the 1994 Penn Township 537 Plan, the proposed BASA connection route was not included as the current force main location was not considered at that time. Therefore, consistence with all natural resource protection programs under 25 Pa. Code 71.31 needs to be prepared for this alternative. Appendix B from the Department's Guide for Preparing Official Sewage Plan Updates is included with your consultant's copy of this letter to assist in preparing complete environmental consistency documentation.

10. A plan summary based on Task Activity Report Task 2A through E must be included with the plan prior to the 30-day public comment period.

Mr. Crawford recommended that the Board revise the plan as necessary to address the above issues. Once the final plan is completed, the requirements of 25 Pa. Code 71.31 need to be fulfilled and the plan submitted for final review by the Department.

The Township Manager reported that Jeff Rober, Sewage Engineer, has accepted another position with Engineering Dynamics out of Pittsburgh and the Board has voiced a desire to retain Mr. Rober as the project engineer.

Audience Participation

Mr. Richter - Requested a copy of the conditions placed on the soccer club approved this evening.

Mr. Delgado - Thank you for the Veterans donation.

Pauline Fuhr - Stated has several road problems. Speeding on Beacon Road, guard rails, road crumbling, water problems. Supervisor Roth stated he has been at this location on several occasions but would go back to see if there was anything that could be done.

Tuesday, May 7, 2002

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

The meeting adjourned at approximately 8:55 P.M.

Approved:

Respectfully Submitted:

Samuel M. Ward
Chairman
Board of Supervisors

Gregory A. Primm
Township Manager
Township of Penn