

# CLINTON TOWNSHIP BOARD OF SUPERVISORS

## AGENDA SETTING MEETING MINUTES

November 23, 2020

3:30 pm

Clinton Township Municipal Bldg., 711 Saxonburg Blvd, Saxonburg, PA 16056

**Note to Residents:** *Public Comments are only accepted at the times listed on the Agenda for Public Comment. You must stand and give your name and address to the Secretary before beginning your comment. You will have a 3-minute time limit for your comment.*

### **BOARD OF SUPERVISORS:**

Kathy Allen  
William Duncan  
James Halstead

### **PUBLIC HEARINGS**

### **STAFF PRESENT:**

Tom Hartwig, Consulting Engineer  
Linda Harigan, Township Secretary  
Luke Brewer, Road Foreman

### **CALL TO ORDER:**

Chairperson Allen called the meeting to order at 3:30 pm.

### **PLEDGE OF ALLEGIANCE**

### **PUBLIC COMMENT ON AGENDA ITEMS**

No Public Comment

### **MINUTES AND REPORTS AND FINANCIALS – Reviewed and Discussed**

- Reviewed and discussed the minutes of November 9, 2020 Regular Meeting
  - ✓ Supervisor Duncan asked that the following three corrections be made to the November 9, 2020 minutes:
    - Old Business-Victory Road Warehouse-remove the second marked sentence
    - Old Business-Cares Grant-change the word receiving to reimbursed and correct the amount to \$77,200.00
    - New Business- Presentations- add the phrase the same presentation made to the Planning Commission will be presented to the Board of Supervisors at their Regular Meeting.
- Reviewed the minutes of the November 16, 2020 Conditional Use Hearing
- Reviewed the payroll #23 dated November 13, 2020
- Committee Reports except road)
  - ✓ Park-Jim Halstead reported
    - The Park is still open
    - No meeting scheduled until March 2021

- ✓ Planning Commission-Kathy Allen reported
  - Chairperson Corace has scheduled the 2021 Planning Commission meetings and workshops

**CORRESPONDENCE– Reviewed and Discussed**

- Brian Snyder's Zoning Hearing Board Resignation Letter. Chairperson Allen announced it was accepted
- II-VI's letter referring to a submittal of application for a PADEP Bureau of Air Quality Control Plan Approval

**OLD BUSINESS – Reviewed and Discussed**

- Champion Waterproofing
  - ✓ The Township Solicitor is now handling this situation.
- Victory Road Warehouse follow-up-1200 South Noah Drive
  - ✓ Working with HRG-
    - Sent invoice for TDRs
    - 11.16.2020 Received a letter from HRG asking Clinton Twp. to accept a Letter of Credit in lieu of a Performance Bond
    - 11.19.2020 Hartwig gave permission for Clinton Twp. to accept the Letter of Credit in lieu of a Performance Bond
    - SunCap is holding off on paying the TDR's until their financing is in place.
    - The Township sent a letter requesting HRG Engineer to inform SunCap to address the subject of TDR's in a letter to the Township.
    - 11.19.2020 Sent letter requesting TDRs be paid by 12.31.2020
    - SunCap would like to wait on paying TDRs until closer to their Closing, on or about February 2021. Supervisor Duncan then approved a later date payment of the TDRs until January 15, 2021.
    - Waiting on two Permits from DEP (Stormwater and Wetlands). SunCap is not anticipating any issues. When the permits are issued that will trigger the closing.
    - SunCap also requested that they will record the Plan and the Butler County Planning Commission closer to the Closing Date. They also stated they have all the signatures.
- John Allen III and Andy Allen's Property-1046 Ekastown Road
  - ✓ Zoning Board Hearing was held on October 27, 2020 and the variance approved.
  - ✓ Lot Line Revision was presented to the Planning Commission at the 11.2.2020 it was tabled until property owners could get a survey
  - ✓ Planning Commission recommended that the property owner go to the Board of Supervisors and recommended approval of a Conditional Use.
  - ✓ The Conditional Use Hearing is scheduled and advertised for November 16, 2020 at 3:00 pm
  - ✓ 11.17.2020 Supervisor verbally approved the Conditions Use with nine (9) requirements to be met. This item will be on the 11.23.2020 Agenda Setting Agenda

- ✓ The Property Owners will present their Lot Line Revision in front of Planning Commission on 12.7.2020 with their survey and application.
  - Sewer Authority
    - ✓ Installing a new sewer line along Tower Rd
    - ✓ In October, the Sewer Authority started trimming trees along Tower Road
    - ✓ Cronin Enterprises have received their Excess Maintenance Agreement with a Bond
    - ✓ Luke Brewer, Road Foreman is working with the Sewer Authority with cross pipe issues.
    - ✓ Requested advice from the Twp. Solicitor on the Tower Road damage
    - ✓ Brewer reported that it is a disaster, and the road is getting destroyed. Brewer stated he believes they will be there until February 2021.
    - ✓ Hartwig stated the Contractor should have supplied a Performance Bond. The Sewer Authority would have to call that bond in. He stated that Clinton Township should not have to do anything, this is up to the Sewer Authority
  - Hydrant's Billing
    - Supervisor Duncan was in contact with PSATS and was told that certain communities apply the Hydrant's charges to the resident's water bill. Chairperson Allen is going to research this and talk with Brent Robinson a representative of Pennsylvania Water.
  - Code Enforcement
    - Cease and Desist
      - The Cease and Desist order for 425-427 Freeport St. is still in effect
        - The property owners met with the Board of Supervisors and Code Enforcement Officer and the property owners are in the process of bringing the property into compliance.
        - The Property Owners have sought legal advice. Clinton Township has been advised by Solicitor Andreassi that matters pertaining to this situation be sent to him.
        - Code Enforcement Officer Harigan and Supervisor Duncan did a site visit and found a Scotty trailer and storage trailer were sitting on the property and in violation of the 25-foot setback on the side yard.
      - A Cease and Desist order was issued for 429 Freeport St. The Criswell Residence for having a Home Occupation without a permit.
        - Code Enforcement held a phone conversation with Property Owners and is awaiting written and signed confirmation that Property Owners are engaging in a hobby and not a business
        - Supervisor Duncan and Code Enforcement Officer Harigan made a site business and could not see any signs of a business being conducted on the property.
- Motion by Halstead** to remove the Cease and Desist order on 429 Freeport St. Second by Duncan. Motion passed.



- Cares Grant
  - ✓ Clinton Township received a check for \$40,307.96
  - ✓ Clinton Township will be reimbursed by a grant of \$77,200.00 to construct a new Public Works Building.
- Netflix
  - ✓ Will be using the lower parking lot as Base Camp, Catering Area and Crew Parking on December 4 and 5, 2020. Netflix is paying \$2000.00 a day to lease the property. Netflix will provide a security guard and one of the Clinton Township employees will be on duty also.

#### **NEW BUSINESS**

- **Motion by Duncan to approve** the Condition Use for the 1046 Ekastown Road with the following requirements (listed below). Second by Halstead. Motion passed.
  1. Outdoor Lighting must be in compliance with the Clinton Township Codes. Outdoor Lighting is found in Chapter 85 Zoning Light, Outdoor of the Clinton Township Codes, (*adopted by Ordinance 2011.01*).
  2. Exterior Lighting Poles need to be removed
  3. Operations Hours will be between 7:00 AM and 7:00 PM Monday thru Friday.
  4. Outside Storage:
    - a. Dumpsters must be enclosed.
    - b. Any and all outside storage must be behind the two hundred (200) foot set-back and screened.
  5. Any Sign must be in Compliance with the Clinton Township Codes Chapter 185 Zoning Article IV Additional Regulations, §185.60 Signs, (*Amended by Ordinance Number 2012-02, Ordinance Number 2019-02, and Ordinance 2019-03*). Any Illuminated sign can only be lighted during Operation Hours of 7:00 AM to 7:00 PM.
  6. Provide Clinton Township with a Letter of Assurance stating they are compliant with the Performance Standards. Performance Standards are located in the Clinton Township Code Chapter 185. Zoning Article IV Additional Regulations § Performance Standards
  7. Utility light, West Penn Power Dusk to Dawn light, needs to be removed.
  8. Existing Pine Trees/Screening shall remain for Screening Purposes on both sides of the property.
  9. Remove dirt pile on the southeast corner of the property.

#### **COMMUNITY DEVELOPMENT-Reviewed and Discussed**

- Building Permits
  - ✓ Zoning Officer Harigan reported 4 new building permits for November 2020.

#### **CODE ENFORCEMENT & ZONING -Reviewed and Discussed**

- Code Enforcement
  - ✓ Code Enforcement Harigan and Supervisor Duncan did a few site visits in November.

#### **ROAD DEPARTMENT – Reviewed and Discussed**

- Reviewed Residents Incidents and Issues

**ENGINEER'S REPORT- Reviewed and Discussed**

- Multimodal Grant –
  - ✓ is submitted-nothing new to submit
- GP11 – DEP
  - ✓ Victory Road-being processed
  - ✓ Cannon Hill Road-being processed
- Public Works Building
  - ✓ Application was submitted to MDIA
  - ✓ Contractor said Public Works Building should be up by Thanksgiving.
  - ✓ Cement was poured
  - ✓ Hartwig gave two signed Contract Document books to Secretary Harigan, she is to keep one and give the other to Contractor Kevin Miller. They contain the original signed contracts, bonds and Insurance certifications. Hartwig stated there are 3 more books, they will be distributed to Mark Gordon, Chief of Economic Development and Planning, Theresa Sparacino, Delta Development Group and one will remain with Arcadis.
- Truck Grant-Hartwig reported
  - ✓ Grant is submitted
  - ✓ Truck is ordered
  - ✓ Received a letter of support from the Butler County Commissioners and was forwarded to the DEP

**OTHER BUSINESS-Reviewed and Discussed**

- Call to Action with the Butler County Commissioners
- Hartwig also discussed the danger of burning leaves in ditches where there are plastic pipes.
- **Motion by Duncan** to become members of the CDC and pay the fee. Second by Halstead. Motion passed.

**PUBLIC COMMENT ON NON-AGENDA ITEMS**

- **Mark Duster-146 Jack Road** questioned the weight limits of the road. Jack Road is a 5-ton weight limit road.

**MOTION TO ADJOURN**

- **Motion by Duncan** to adjourn the meeting. Second by Halstead. Motion passed.

**TIME-4:34 pm**

Respectfully Submitted

Linda L. Harigan Secretary/Treasurer

