**BOAROAD OF SUPERVISORS:**

Kathy Allen, Chairperson

William Duncan, Vice-Chairperson

James Halstead, Supervisor – Excused due to a personal emergency

**STAFF PRESENT:**

Tom Hartwig, Township Manager/Engineer

Luke Brewer, Road Foreman

Sarah Hancher - Solicitor

**VISITORS PRESENT:**

Mark Duster - Resident

John Ham - Resident

Amanda Peterson – Penn Energy

Gary McCall – Resident

Lieutenant Rocco Russo – Pennsylvania State Police

Bill Blair – Non-Resident

Terri Fuellgraf – Resident

Matt Cornetti - Residentt

**CALL TO ORDER:**

Chairperson Allen called the meeting to Order at 7:00 PM.

**PLEDGE OF ALLEGIANCE**

**EXECUTIVE SESSION ANNOUNCEMENT –** Chairperson Kathy Allen announced that an Executive Session was held on December 6, 2021 at 6:00 PM for Personnel Reasons with all three Supervisors and the Manager in attendance. The Executive Session ended at 6:37 PM.

**EXECUTIVE SESSION –** At the request of Chairperson Kathy Allen, the Board of Supervisors, Solicitor, and Township Manager went into Executive Session at 7:03 PM for purposes of discussing potential litigation. The Executive Session ended at 7:21PM at which time the Public Meeting resumed.

**PUBLIC COMMENT ON AGENDA ITEMS:**

No member of the public in attendance at the December 13, 2021 Regular Meeting of the Board of Supervisors had comments on Agenda Items. However, Chairperson Kathy Allen introduced special visitor Lieutenant Rocco Russo of the Pennsylvania State Police (PSP). Lieutenant Russo is in charge of Pennsylvania State Police activities in Butler, Armstrong, Beaver, and Mercer Counties and oftentimes takes calls from our Road Foreman Luke Brewer about speeders, over-weight vehicles traveling on Township roads, and vandalism of Township signs. Lieutenant Russo wanted to introduce himself and ask the Supervisors and residents to contact him if there is anything they want the PSP to do for them. Lieutenant Russo reported that thus far in 2021, there has been 274 calls related to Clinton Township, 33 crashes, 13 arrests, 39 property crimes, 5 person crimes, 1 DUI crash, and 3 DUI arrests.

Supervisor William Duncan commented that the Supervisors appreciate the PSP’s help and efforts in dealing with speeders and over-weight trucks traveling on Township roads. Chairperson Kathy Allen asked Lieutenant Russo if there were many drug-related crimes in the Township. Lieutenant Russo responded that there were 52 criminal offenses out of the 274 calls made for Clinton Township but there was no statistic for how many of those criminal offenses were drug related. He opined that Clinton Township does not appear to be a municipality with a lot of drug related activity or crime.

Chairperson Kathy Allen asked about the Neighborhood Crime Watch Program and Lieutenant Russo indicated that she should contact Trooper Josh Black at 724-284-8100 for more information or to arrange a meeting to learn how to implement this program.

**SECRETARY/TREASURER’S REPORT**

1. Treasurer’s Report for December 2021 (Period of November 1 to November 30). See the attached report. The Township Manager Tom Hartwig reviewed all fund balances and highlighted the new account opened at Northwest Bank for funds encumbered for Farmland Preservation. The Manager highlighted the fact that Park funds were moved from the PLIGIT Park Capital Reserve Fund to the Northwest Park Account where funds encumbered for the Spring Valley Park will realize better interest earnings. Additionally, the Manager highlighted the fact that the new NW Farmland Preservation Fund was opened at Northwest Bank and TDR (Transfer Development Rights) and Conservation Fees collected in 2021 were placed into this account and encumbered for future Farmland Preservation Program expenditures.
2. Minutes of November 8, 2021 Board of Supervisors’ Regular Meeting
3. Minutes of November 22, 2021 Board of Supervisors’ Agenda Setting Meeting
4. Payroll #23 dated November 12, 2021
5. Payroll #24 dated November 26, 2021
6. Payroll #25 dated December 10, 2021
7. All Bills presented for payment and ratification of two payments to Northwest Bank in the amounts of $510.33 and $557.36 for payments on the Township Visa Credit card expenses for November with payment due by December 9, 2021.

***A Motion was made by Supervisor William Duncan to approve the Secretary/Treasurer’s Report, which included the approval of the Treasurer’s Report for December, all meeting minutes, payrolls, and bills presented for payment as listed above. The motion was seconded by Chairperson Kathy Allen. The motion passed unanimously.***

**COMMITTEE REPORTS:**

Park Committee Liaison Jim Halstead was absent due to a personal emergency and John Ham reported that no meetings were held during the past month and that none will be held until next spring. The Park Advisory Board and Friends of Spring Valley Park meeting schedule for 2022 was given to the Manager and Administrative Assistant to put on the agenda for the Reorganizational Meeting on January 3rd. At present, the park gate is opened at 7AM by Mr. Ham and locked at 5PM daily.

Planning Commission Liaison Kathy Allen reported the Planning Commission met on December 6, 2021 and considered four subdivisions. These subdivisions are the Sunrise Farm Plan No. 2 Subdivision, the P. Neubert Subdivision and Lot Line Revision, the Glenn Burd Plan No. 2 Subdivision, and the Glen Burd No. 3 Subdivision. The Planning Commission heard from Mr. Steve Graff of Graff Land Surveying who was in attendance to present all four Subdivisions. The Planning Commission advanced the Sunrise Farm Plan No. 2 Subdivision and the P. Neubert Subdivision and Lot Line Revision to the Board of Supervisors for consideration conditioned upon a couple of notes being added to each final plan drawing and the Manager speaking to a property owner bordering the Sunrise Farm Plan No. 2 subdivided parcel. The Planning Commission had many comments and concerns about the Glenn Burd subdivisions as presented and those submittals were tabled. Additionally, the question was raised whether the Glenn Burd subdivisions should be considered major instead of minor since the two parcels being subdivided were lots created from a previous subdivision of the Glenn Burd property. The Manager and Solicitor are looking into this question as the total number of lots proposed going back to the original subdivision is 11, which by definition makes this a major subdivision.

**CORRESPONDENCE:**

No correspondence was received during the past month.

**SOLICITOR’S REPORT**

The Solicitor Sarah Hancher reported that she was engaged by the Manager on two assignments. These topics of engagement were the creation of two water districts to recover hydrant rental costs assessed by Pa. American Water Company and the matter of the Magnolia Farms lot line revision which was previously approved but was not recorded within 90 days of approval.

Mrs. Hancher reported that in the matter of the creation of special water hydrant districts, the Second Class Township Code does permit the assessment of residences and/or businesses in the vicinity of the hydrants to enable a Second Class Township to recover these hydrant rental fees. She will work with the Manager to create these assessment districts.

In the matter of the Magnolia Farms Lot Line Revision, the Solicitor indicated that she is in agreement with the Township Manager/Engineer that the failure to record this plan within 90 after its approval by the Township Board of Supervisors means that final approval could be voided, and the applicant be required to resubmit the plan to the Planning Commission for consideration once again. However, since Butler County permitted this plan to be recorded based upon a sealed letter from the Professional Surveyor preparing the plan that nothing between the time of original approval and present has changed, a notarized letter from the two property owners involved in this Lot Line Revision stating that they are in agreement with this Lot Line Revision should suffice and supplement the original plan at this point in time.

**MANAGER’S REPORT:**

***Public Works Garage Construction Status***

Tom Hartwig reported that J.D. Miller & Sons Construction continues their work on the new Public Works Garage. While work has slowed down somewhat over the past month as the contractor waits for gas service and electric service to be installed, work was finished on the man doors and garage doors (one garage door remains outstanding), along with interior electrical wiring. The Township assisted the Contractor with sump pump installation also.

Electric is scheduled to be turned on by West Penn Power on December 16th, while the Township and contractor await Peoples Gas to do their work for a 2-inch gas line spur at our meter. Our PW crew will dig the trench and lay the pipe to the new garage for Miller to connect to the boiler. The Township PW Department completed the interior siding installation. It looks great!

The Manager reported that the contractor is past his substantial completion date and a time extension change order would be in order since West Penn Power and Peoples Gas have delayed in getting service to the new garage. Also, the Manager expects to meet with the Contractor later this week to discuss potential change order items. Supervisor William Duncan questioned whether the Township could park equipment in the garage at this point in time. The Manager indicated that the Township’s third-party building inspector MDIA will not issue a temporary occupancy certificate yet since there is not electric nor heat in the building. They still consider it to be under construction.

***Public Works Garage Periodic Payment Requests***

J.D. Miller & Sons Construction has submitted Periodic Payment Request No. 6 in the amount of $33,710.00 for work completed and material stored for the period of November 1, 2021 to November 30, 2021. After reviewing this payment request, the Manager recommended approval of Periodic Payment Request No. 6.

***A Motion was made by Supervisor William Duncan to approve Periodic Payment Request No. 6 to J.D. Miller & Sons Construction in the amount of 33,710.00. The motion was seconded by Chairperson Kathy Allen. The motion passed unanimously.***

***Permits and Code Enforcement***

The Township Manager indicated that three new building permits were issued since the last Regular Meeting of the Board of Supervisors. Additionally, the Manager reported that he is dealing with one code enforcement matter with a resident on Lardintown Road who built an accessory structure without a Zoning Certificate or verification of the necessity for a building permit and also violated a side yard set-back. Mr. Hartwig is working with him on achieving compliance and going through the process of requesting a variance through the Zoning Hearing Board in 2022.

**2022 Budget**

The 2022 Budget has been finalized and advertised for adoption at a special meeting of the Board of Supervisors on December 20, 2021.

**Miscellaneous Items**

Much time over the past month the Manager reported that he has been spent time on the following matters of great importance to the Township:

* Soliciting competitive quotes through C.W. Howard for insurance coverage for 2022 and meeting with C.W. Howard to review the quotes.
* Soliciting a proposal from Maher Duessel for conducting the Township’s 2022, 2023, and 2024 annual audits on a cash basis for action by the Supervisors at their Reorganizational Meeting on January 3rd.
* Work related to the Planning Commission and follow-up relative to the plans presented on December 6th.
* Filing for our Pa. Driving Forward Truck Grant reimbursement with DEP now that the new truck was delivered.
* Submitting some year-end tax reports to the County.
* Dealing with the Solicitor on the creation of water hydrant assessment districts in the Industrial Park and The Plantation.
* Dealing with the County on the Magnolia Farms Lot Line Revision and interaction with the Solicitor on same.
* Answering many questions on Zoning, etc. on Lot 7 in the Industrial Park at 1200 South Noah which is apparently being sold. This is the Victory Warehouse.

***A Motion was made by Supervisor William Duncan to approve the Manager’s Report as submitted. The motion was seconded by Chairperson Kathy Allen. The motion passed unanimously.***

**ROAD DEPARTMENT REPORT:**

*FACILITIES AND EQUIPMENT*

* The Road Department installed all the tailgate spreaders and plows on the trucks.
* The 2016 Ford F550 got the warranty work done at Butler County Ford.
* The 2016 Ford F550 had the rear brakes replaced and the transmission line replaced at Crystals Truck and Auto.
* The new Peterbilt (Truck Grant) was delivered on Nov 23rd. Everything is good and working on the Truck!
* The Road Department has been cleaning and washing all the trucks and equipment.
* The Road Department has done routine maintenance on the trucks and equipment.
* JD Miller and Construction is working on the new public works building. They currently are working on installing the boiler system in the storage room and working on putting up the dry wall, and installing the man doors and trim around them.
* The Public Works has also been installing the tin for the inside of the building. It has been completed.
* The Road Department dug and installed the sewer sump tank and force main piping to the existing septic tank.
* The Public Works also has been working on the new pole building. We have been installing stone to bring the floor up to grade.  We have been also installing new conduit.

*ROADS*

* The Road Department was out 4 times in the month of November for snow removal, and 1 time in the month of December. We used about 15 ton of salt so far.
* The Road Department has been fixing and installing new street signs throughout the Township.
* The State Police have been out on Victory Rd, Brewer Rd, and Westminster Rd patrolling the roads.
* PennDOT is supposed to install “street warning signs” for Coal Hollow Rd, Tower Rd, Wylie Rd, Brewer Rd, and Cherry Valley Rd.
* Public Works has cleaned catch basins and cross pipes throughout the Township and patched many potholes on Township Roads.
* Public Works has been picking trash up at the Roundabout.
* The Road Department installed the Christmas Lights at the roundabout.

***A Motion was made by Supervisor William Duncan to approve the Road Report as submitted. The motion was seconded by Chairperson Kathy Allen. The motion passed unanimously.***

**NEW BUSINESS:**

1. PSATS Trustee Insurance Services – Term Life and Short-Term Disability Insurance

Pursuant to the Township’s request, The Manager reported that PSATS Trustee Insurance Services presented him with a program to provide full time and part time employees with term life insurance coverage as well as short term disability insurance for full time employees (they do not offer this for part time employees). It is the Manager’s recommendation that the Township enroll its employees in these programs for the rates quoted by PSATS as applicable to employment status.

***A motion was made by William Duncan to authorize the Manager to proceed with obtaining Term Life Insurance coverage for all employees and Short-Term disability insurance for the full-time employees through PSATS Trustee Insurance Services in accordance with the rates quoted by PSATS. The motion was seconded by Chairperson Kathy Allen. The motion passed unanimously.***

1. The Manager, after discussions with the Road Foreman, Public Works employees, and Board of Supervisors, recommends the purchase of the 2022 Peterbilt, known as Peterbilt #2, from Hunter Truck sales that was previously ordered with a purchase price is $168,033 and to defer the purchase of a used backhoe until 2023.

***A motion was made by William Duncan to authorize the Manager to proceed with the purchase of Peterbilt No. 2 from Hunters Truck and deferring the purchase of a used backhoe until 2023. The motion was seconded by Chairperson Kathy Allen.. The motion passed unanimously.***

1. The Manager recommended granting the extension of the Excess Maintenance Agreement for Reimer Gas until January 17, 2022 to enable them to remove one remaining piece of equipment from their site off of Sarver Road.

***A motion was made by Supervisor William Duncan to approve the extension of an Excess Maintenance Agreement with Reimer Gas from November 17, 2021 through January 17, 2022. The motion was seconded by Chairperson Kathy Allen. The motion passed unanimously.***

1. Ordinance 2021-07 Amendments to Chapter 185-52 of the Zoning Ordinance as it pertains to lot sizes in the Agricultural Conservation District and Conservation District. A hearing was held at 6:45 PM on December 13, 2021 concerning this proposed Ordinance and there were no public comments made at that time.

***A motion was made by Supervisor William Duncan to approve Ordinance 2021-07 Amendments to Chapter 185-52 of the Zoning Ordinance as it pertains to minimum lot sizes in the Agricultural Conservation District and Conservation District. The motion was seconded by Chairperson Kathy Allen. The motion passed unanimously.***

1. Ordinance 2021-06 Regulation of Display Fireworks. A hearing was held at 6:45 PM on December 13, 2021 concerning this proposed Ordinance and there were no public comments made at that time.

***A motion was made by Supervisor William Duncan to approve Ordinance 2021-06 Regulation of Display Fireworks. The motion was seconded by Chairperson Kathy Allen. The motion passed unanimously.***

1. Ordinance 2021-05 Regulation of Junk Dealers and Junkyards. A hearing was held at 6:45 PM on December 13, 2021 concerning this proposed Ordinance and there were no public comments made at that time.

***A motion was made by Supervisor William Duncan to approve Ordinance 2021-05 Regulation of Junk Dealers and Junkyards as an Amendment to the Zoning Ordinance. The motion was seconded by Chairperson Kathy Allen. The motion passed unanimously.***

1. Butler County Association of Township Officials (BCATO) Representative for 2022 – The Manager received an annual notice from BCATO to appoint up to 3 representatives for 2022. The Manager recommends Ashley Kohley as the Township’s primary representative.

***A motion was made by Supervisor William Duncan appointing Ashley Kohley as the Clinton Township representative to the BCATO organization for 2022. The motion was seconded by Chairperson Kathy Allen. The motion passed unanimously.***

1. Sunrise Farm Plan No. 2 Subdivision for Maureen Conner, et al. The Manager reported that he has had multiple conversations with Steve and Stan Graff, as well as Jack Fleishner concerning the depiction of the property line for both properties being shown as the center line of Lardintown Road. While Mr. Fleishner believes he owns a very small portion of property on the west side of Lardintown Road, Graff Surveying obtained property deeds for both parcels which clearly state the property line for each parcel is on the center line of Lardintown Road. Mr. Fleishner does not object to this Subdivision and would grant an easement to the purchaser of the lot being subdivided off the M. Conner parcel if it turns out that he does in fact own a narrow section of property on the west side of Lardintown Road. Additionally, the Manager reported that Mr. Graff was instructed to add some other parcel owner names to the final drawing as well as a note about the property line being the center line of Lardintown Road.

***A motion was made by Supervisor William Duncan for the approval of the Sunrise Farm Plan No. 2 Subdivision as revised pursuant to the request of the Planning Commission at their December 6, 2021 Meeting. The motion was seconded by Chairperson Kathy Allen. The motion passed unanimously.***

1. P. Neubert Plan Subdivision for Patricia A. Neubert and Margaret Beyer. The Manager explained the notes that needed to be added to the final plan drawing to Mr. Graff, who in fact added the notes.

***A motion was made by Supervisor William Duncan for the approval of the P. Neubert Plan Subdivision as revised pursuant to the request of the Planning Commission at their December 6, 2021 Meeting. The motion was seconded by Chairperson Kathy Allen. The motion passed unanimously.***

**PUBLIC COMMENT ON NON-AGENDA ITEMS:**

Mr. Matt Cornetti of 500 Sunrise Farm Lane was in attendance and expressed his interest in being appointed to one of the two vacant auditor positions that exist. Chairperson Kathy Allen commented that Ms. Terri Fuellgraf of 166 McKay Road previously expressed interest in being appointed to one of the positions and requested Solicitor Sarah Hancher research this matter and current election laws in advance of the 2022 Reorganizational Meeting. She further suggested that the Supervisors meet with both interested parties separately to learn more about them and their respective backgrounds in principles of accounting and/or bookkeeping.

**MOTION TO ADJOURN:**

***A Motion was made by Supervisor William Duncan to adjourn the December 13, 2021 Regular Meeting of the Clinton Township Board of Supervisors at 8:10 PM. The Motion was seconded by Chairperson Kathy Allen. The motion carried unanimously.***

The Meeting was officially adjourned at 8:10 PM.

Respectfully Submitted:



Thomas L. Hartwig, P.E.

Manager

Clinton Township