

CLINTON TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
February 14, 2022 7:00 PM
Clinton Township, 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, Chairperson
William Duncan, Vice-Chairperson
James Halstead, Supervisor

STAFF PRESENT

Tom Hartwig, Township Manager/Engineer
Luke Brewer, Road Foreman
Sarah Hancher

VISITORS PRESENT

John Ham
Mark Duster
Gary McCall
Kevin Corace
Matt Cornetti

CALL TO ORDER

PLEDGE OF ALLEGIANCE

EXECUTIVE SESSION ANNOUNCEMENT – An Executive Session was held on February 14 at 6:00 PM to discuss potential litigation with all three Supervisors, the Solicitor, Planning Commission Chairman, and the Manager in attendance. The Executive Session ended at 6:58 PM.

PUBLIC COMMENT ON AGENDA ITEMS

No member of the public in attendance at the February 14, 2022 Regular Meeting of the Board had comments on Agenda Items.

SECRETARY/TREASURER'S REPORT

- Review Treasurer's Report for January 31, 2022. The Manager reported that the overall ending balance of the Township decreased by \$45,037.36 during January due to revenue from 4th Quarter Earned Income Tax lagging slightly behind and payment of the Township's liability and workman's compensation insurance bill for the year. Revenues are sluggish but are expected to pick up as Earned Income Tax receipts come in and building permit fees are deposited in February. The Total Beginning Balance of Township Funds on January 1, 2022 was \$987,762.12 and the Cumulative Ending Balance of Township Funds on January 31 2022 was \$942,724.76. The Manager pointed out that \$40,000.00 was transferred into the newly created Northwest Farmland Preservation Fund.

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- Review the Minutes of the January 24, 2022 Board of Supervisors Agenda Setting Meeting. There were no comments nor corrections offered on the minutes presented for review.
- Review Payroll #3 dated February 4, 2022 and Payroll #4 dated February 18, 2022. There were no comments on this payroll.
- Review and Approve All Bills presented for payment as well as ratification of two payments to Northwest Bank in the amounts of \$656.21 and \$522.79 for payment of the Township Visa Credit Card (2) expenses for December 2021, payment to Hunter Truck Sales for in the amount of \$102,973 for Peterbilt # 2 authorized by the Board on January 24, 2022, and payment to Pa. American Water in the amount of \$25.76 for Spring Valley Park.

A Motion was made by Supervisor William Duncan to approve the Secretary Treasurer's Report including all bills presented for payment at this meeting, as well as ratification of the payments made to Northwest Bank, Hunter Truck Sales, and Pa. American Water previously paid. The motion was seconded by Supervisor James Halstead. The motion carried unanimously.

COMMITTEE REPORTS:

- Park Committee by liaison Jim Halstead: Supervisor James Halstead had nothing to report at this time. John Ham reported that the Park has not officially been closed yet as there still are visitors using the trails.
- Planning Commission by liaison Kathy Allen: Chairperson Kathy Allen reported that the Planning Commission's had a workshop and Regular Meeting on February 7, 2022. At the workshop, the Planning Commission continued work on an amendment to the Subdivision and Land Development Ordinance pertaining to submittals made to the Planning Commission. Chairperson Allen commented that at the next Planning Commission Workshops on February 28th and March 7th, the update of the Township's Comprehensive Plan will be worked on. Chairperson Allen has had communication with an eastern Pennsylvania Township rural in character and similar demographically to Clinton Township about their Comprehensive Plan and goals. Their Plan can serve as an example for Clinton's Planning Commission to reference.

Supervisor William Duncan mentioned that at the Planning Commission Meeting on February 7th, the Planning Commission recommended that the Glen Burd Subdivision Plan 2 and Plan 3 as submitted to the Township on November 22, 2021 be denied due to being an incomplete submittal. Supervisor William Duncan suggested that the Supervisors deny these plans because they were incomplete, and the 90 day threshold is approaching. This will in essence enable the plans to be modified as requested by the Planning Commission.

A Motion was made by Supervisor William Duncan to deny the Glen Burd Subdivision Plan 2 and Glen Burd Subdivision Plan 3 submitted to the Township on November 22, 2021 on the basis of Chapter 147-57, Paragraph B, Item 3 of the Subdivision and Land Development Ordinance. The Developer and his Surveyor must incorporate the changes recommended by the Planning Commission through the Township Manager onto the final plans and resubmit to the Planning Commission. This action needs to be taken due to the 90-day

threshold for official action and to give the developer and his surveyor the opportunity to make the requested changes to the final plans and submit them to the Planning Commission. The motion was seconded by Supervisor James Halstead. The motion carried unanimously.

CORRESPONDENCE:

- There was no correspondence to discuss.

SOLICITOR'S REPORT:

1. Burd Plan #2 and Plan #3 Opinion on validity of subdivision filing and lot creation: Solicitor Sarah Hancher of Hancher Law Office commented that she has worked with the Manager researching and reviewing Township Ordinances and all previous activity on Burd and/or Durci subdivisions/lot line revisions on the subject properties and finds that both parcel should be considered parent tracts based upon the Ordinance in effect when the subdivision submittals were made to the Township. An Opinion Memorandum was sent to the Supervisors and Planning Commission Members.
2. Special Assessment District Creation for Water Hydrant: Ms. Hancher reported that she will be working on this matter with the Manager as the Manager collects data for the assessments.
3. Unemployment Compensation Fraudulent Claim and Labor and Industry filing: Solicitor Hancher reported that she is actively working on two fraudulent unemployment compensation claims filed on behalf of two Township employees by unknown third parties. Several other neighboring municipalities have had the same issue.
4. Vacant Auditor Positions: Solicitor Hancher opined that by Code, the Township should have 3 auditors (elected or appointed until elected) unless they abolish these positions in accordance with the Code. The Township may continue to use a third-party company or entity to conduct its annual audit as required by the Department of Community and Economic Development.
5. Non-Conforming Use of property in Traditional Neighborhood Development District: Ms. Hancher reported that she is assisting the Manager in investigating a matter of a non-conforming business being operated on Freeport Street.

MANAGER'S REPORT:

Public Works Garage Construction Status

MDIA conducted and inspection per the request of the Township and Contractor for the issuance of a temporary occupancy certificate on January 25th. There were ten deficiencies noted that needed to be addressed, the most serious of which were the incomplete installation of intake and exhaust fans/louvres/ductwork, the incorrect installation of switches/outlets (not ADA compliant), and no emergency lighting outside and above the man-doors. As of February 11, 2022, the ventilation system is still not complete and a Labor and Industry Boiler Certification has not been received. The workmanship on making the switches/outlets ADA compliant is not good and this will remain a punch list item on Miller's Contract. The completion date for Miller was February 10, 2022, so liquidated damages are accruing presently. The Manager expects another MDIA inspection during the week of February 14th.

Public Works Garage Periodic Payment Requests

J.D. Miller & Sons Construction has submitted Periodic Payment Request No. 7 for work completed for the period of December 1, 2021 to January 14, 2022 in the amount of \$88,453.00. Tom Hartwig recommended approval of this Payment Request but not to release the check to J.D. Miller and Sons Contracting until either the Temporary Occupancy Certificate or Final Occupancy Certificate is issued by MDIA. Please note that with this approval, we will be withholding \$9,800 from Miller's contract pending resolution of punch list items and liquidated damage deduction.

Permits and Code Enforcement

Seven (7) new Building Permits have been issued since the January 3, 2022 Board of Supervisors Meeting along with one Zoning Certificate and one Demolition Permit. Relative to the code enforcement matters, there are two being worked on at present.

Audit Update

The auditors were working on our 2021 Audit from January 31, 2022 until February 4, 2022 and requested a few more documents on February 9th. Their work has been very efficient, and the Township office has been able to promptly furnish them with all records and information requested.

Zoning Hearing Board Hearing

A Zoning Hearing Board Hearing has been scheduled for Tuesday March 1, 2022 at 2 PM to consider a variance request submitted by Mr. James Goldscheitter. This is a hearing for a side yard set-back variance. Mr. Goldscheitter is proposing to build a 30 by 36 foot garage structure on the side of his lot and would like to encroach on the side yard set-back. The abutting property is actually an access right-of-way back to a large farm parcel (75 acres) that currently has a non-building label associated with it.

PSATS Term Life and STD Update

All Township paperwork for these benefits has been submitted to PSATS and is being processed to take effect on March 1, 2022. Please note that PSATS would not accept three tiers of life insurance coverage so eligible Supervisor William Duncan's coverage will be the same as the coverage for full time employees, namely \$25,000.

2022 Paving and Chip Sealing Bidding Update

The Road Foreman and Manager will be meeting with Cory Shaffer of PennDOT on Tuesday February 22, 2022 to prepare advertisements for our 2022 Road Projects. The Township is proposing to pave Brewer Road from Albin to Westminster, Sandy Hill Road, and Miller Road. The Township is proposing to chip seal Coal Hollow, Christy, Cannon Hill, Westminster Extension, Timber Ridge, and Jack Roads. The Manager also wants to look at double chip sealing our parking lot and driveway down to the new garage. Saxonburg Borough has also approached up about piggybacking with us on chip sealing. PennDOT recently informed the Township that they will be inspecting the Victory Road bridge in early March.

ROAD REPORT:

Facilities and Equipment

- The Road Department has been cleaning and washing all the trucks and equipment.
- The John Deere 60G excavator went to Murphy tractor to get the quick couplers put on which we had ordered for them last year.
- The 2020 Ford F550 is at U.S. Municipal for warranty work on the tailgate spreader.
- Peterbilt #2 was delivered to the Township on February 10th, 2022, from Hunters Truck Sales.
- The Road Department has done routine maintenance on the trucks and equipment.
- The road department has been servicing all the equipment and getting it ready for this summer.
- The 93 International has been serviced and had new tires and rims and spacers installed on it. It was returned to Winfield Township.
- The 2016 Ford F550 had a new mirror installed on it and are awaiting prices for a new cab protector for it from U.S. Municipal.
- The township took delivery of about 270 ton of salt on February 2nd. To refill are salt sheds.
- The Road Department in the month of January was out 15 times for snow removal.
- The road department used about 150 ton of salt since the last supervisors meeting.
- The Road Department took delivery of Diesel fuel and Gasoline from Purvis Brothers.

Roads

- The Road Department has been prepping and measuring the roads for replacement of storm water pipes.
- The Road Department and the Manager are working on Pod 4 and how the driveway is going to be laid out.
- The PW crew has been picking trash up at the Roundabout.
- The PW crew has made and marked PA. One Calls for speed limit, weight limit signs, and other signs throughout the township.
- The road department has been monitoring the work in the Industrial Park and the work being done in the Plantation.
- PA American Water filled out and application for a water line tap in the Industrial Park.
- 2 Permits will be submitted for Timbering on Freeport St on the golf course and at 127 Christy Rd.

Supervisor William Duncan questioned why Middlesex Township uses white “ball bats” to mark catch basins instead of yellow. Luke Brewer commented that he thought they used white for catch basins and yellow for cross pipes whereas Clinton uses yellow markers for catch basins and white for cross pipes.

A Motion was made by Supervisor William Duncan to approve the Road Report as submitted. The motion was seconded by Supervisor James Halstead. The motion carried unanimously.

NEW BUSINESS:

1. Resolution 2022-02 Tax Collector Fees

A Motion was made by Supervisor William Duncan to approve Resolution 2022-02 setting forth the fee schedule to be charged by the newly elected Tax Collector Linda Halstead. The motion was seconded by Chairperson Kathy Allen. The motion carried with Supervisor James Halstead abstaining.

2. Resolution 2022-03 Spring Valley Park Grant Application

A Motion was made by Supervisor James Halstead to approve Resolution 2022-03 supporting the grant application prepared and submitted by the Spring Valley Park Board to the Butler County Parks and Recreation Department for improvements in 2022. The motion was seconded by Supervisor William Duncan. The motion carried unanimously.

Supervisor William Duncan questioned what improvement is the Board planning to do with the grant money if received. Manager Tom Hartwig replied that the Park Board would like to add split rail fencing at the entrance to Spring Valley Park on Victory Road.

3. Vacant Auditor Positions

A Motion was made by Supervisor William Duncan to appoint Mathew Cornetti to one of the vacant positions of Township Auditor. Mr. Cornetti was the only resident to respond to the advertisement placed in the Butler Eagle seeking letters of interest and qualifications. The motion was seconded by Supervisor James Halstead. The motion carried unanimously.

PUBLIC COMMENT ON NON-AGENDA ITEMS

Resident Mark Duster reported that there is a recurring problem with ice formation at the intersection of Jack Road and Deer Creek Road that needs addressed. He felt it was weeping from under the barrier installed at the intersection of Deer Creek and Jack Road. Supervisor William Duncan suggested that possibly the asphalt under the barrier island could be removed to promote better in-ground drainage. The Manager will look at the problem with the Road Foreman and try to come up with an improvement to minimize the icing situation.

Supervisor William Duncan suggested that the Manager arrange for a meeting between the fire department and the municipalities served by the fire department to discuss their proposed capital improvement plans and other matters of mutual concern to the municipalities.

Supervisor William Duncan suggested that the Manager arrange for a meeting between Township officials and Saxonburg Borough officials to discuss development planning and the need for an access road between Knoch Road and Saxonburg Boulevard as well as between Saxonburg Boulevard and Freeport Street as development continues to occur on properties near the Borough/Township line.

MOTION TO ADJOURN:

A Motion was made by Supervisor William Duncan to adjourn the February 14, 2022 Regular Meeting of the Clinton Township Board of Supervisors at 7:33 PM. The Motion was seconded by Supervisor James Halstead. The motion carried unanimously.

The Meeting was officially adjourned at 7:33 PM.

By:

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A handwritten signature in black ink that reads "Thomas L. Hartwig". The signature is written in a cursive style with a horizontal line underneath the name.

Thomas L. Hartwig, P.E.
Manager/Engineer