***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

Ashley Kohley, Administrative Assistant

Sarah Hancher, Solicitor

**VISITORS PRESENT**

 John Ham

 Mark Duster

**CALL TO ORDER**

The Meeting was called to order by Chairperson Kathy Allen at 3:30 PM.

**PLEDGE OF ALLEGIANCE**

**PUBLIC COMMENT ON AGENDA ITEMS**

No member of the public in attendance at the March 28, 2022 Agenda Setting Meeting of the Board had comments on Agenda Items.

**SECRETARY/TREASURER’S REPORT**

* Review Preliminary Treasurer’s Report through March 28, 2022. The Manager reported that the overall ending balance of the Township increased by $181,861.20 thus far during March due to the receipt of 2022 Liquid Fuels funds from PennDOT. The General Fund beginning and ending balance for February is lower than last month due to checks for the purchase of the second Peterbilt truck clearing the bank in March. The cumulative beginning balance at the beginning of March was $719,293.09, while the cumulative ending balance as of March 28, 2022 was $901,154.29.
* Review the Minutes of the March 14, 2022 Board of Supervisors’ Regular Meeting. There were no comments nor corrections offered on the minutes presented for review.
* Review Payroll #6 dated March 18, 2022 and Payroll # 7 dated April 1, 2022. There were no comments on these payrolls.
* Review and Approve Bills Presented for Payment at this Meeting to avoid late charges/penalties and ratify payments to VSP for $203.07, United Concordia for $465.60, and UPMC for $2,101.47 for Vision, Dental, and Health Insurance.

*A Motion was made by Supervisor William Duncan to approve the Secretary Treasurer’s Report including all bills presented for payment at this meeting to avoid late penalties and interest charges, as well as ratification of the payments made to UPMC, VSP, United Concordia previously made. The motion was seconded by Supervisor James Halstead. The motion carried unanimously.*

**COMMITTEE REPORTS**:

* Park Committee by liaison Jim Halstead: Supervisor James Halstead reported the Park Board will be having their first meeting of the new year tonight at 7:00 PM. John Ham added that the park has remained open and he has changed the timer on the gate for opening and closing.
* Planning Commission by liaison Kathy Allen: Chairperson Kathy Allen reported that the Planning Commission has cancelled their Non-Voting Workshop Meeting scheduled for tonight at 7:00 PM. The next Planning Commission Regular Meeting is scheduled for April 4th at 7:00 PM preceded by a workshop at 6:00 PM. The Planning Commission may continue to review plans submitted by II-VI for installation of alternative energy fuel cell.

**CORRESPONDENCE:**

* There was no formal correspondence to be brought before the Board of Supervisors.

**SOLICITOR’S REPORT:**

* The Solicitor reported that she continues to work with Mr. Hartwig and Ms. Kohley on the matter of drafting an Ordinance to assess properties within 780 feet of a Pennsylvania American fire hydrant with a prorated share of the annual cost paid by the Township to Pennsylvania American Water for hydrant rental. There are approximately 364 properties that will be assessed approximately $28 per year for this cost. The cost will be added to the tax card for local property taxes in 2023. Solicitor Sarah Hancher further reported that she is working with the Township Manager on the matter of code enforcement action being taken against a property on Sunmine Road.

**MANAGER’S REPORT:**

* Public Works Garage Construction Status: The Manager reported that the only item delaying the final completion of the new Public Works Garage is the issuance of the boiler certification by the Department of Labor and Industry. The submittal of the “Intent to Install” by Excel Heating to the Department of Labor and Industry has occurred although the paperwork has not been uploaded into Labor and Industry’s computer system. Once this happens, the Labor and Industry inspector will return to inspect the boiler installation and issue the certification. At that point, MDIA will issue the final occupancy certificate. The Manager indicated that liquidated damages continue to accrue on the contractor until the Township receives the final Occupancy Certificate and he intends to look into back-charging the contractor for electric usage from the original completion date of January 10th to the date of issuance of Temporary Occupancy Certificate of February 15th. Retainage will continue to be withheld until all punch list items are addressed.
* Permits and Code Enforcement: The Manager indicated that he continues to work with the Solicitor on the property at 416 Sunmine Road and violations of the Nuisance Ordinance and Parking Ordinance.
* 2022 Road Projects: The Manager reported that the Township’s 2022 Road Projects are out for bid and will appear in the Butler Eagle this week.
* Zoning Hearing Board Update: The Manager reported that the Zoning Hearing Board met on Thursday afternoon March 24th at 2 PM to hear the variance request of Matt LeFever. The Board granted Mr. Lefever his variance to construct a garage on his property at 159 Glade Mill Road with conditions. Manager Tom Hartwig told the Board that Zoning Board Members Greg Fitzgerald, Mark Duster, and Kenneth Miller have done a wonderful job this far with the two hearings they have held.

**ROAD REPORT:**

* Winter Maintenance. Mr. Brewer reported that Public Works has been out three times over the past two weeks on snow removal and salting operations. In addition, they continue to patch potholes throughout the Township and are getting prices for tar and chipping the Township Building Parking Lot before Election Day in May. Mr. Brewer expects to begin work on the POD 4 access drive and drainage facilities within the next two weeks.

**NEW BUSINESS:**

* Ordinance No. 2022-01 amending the Township’s Subdivision and Land Development Ordinance as it pertains to the format of submittals and length of time in advance of the Planning Commission Meeting a subdivision or lot line revision submittal must be made. This Ordinance was advanced by the Planning Commission at their March 7, 2022 Regular Meeting to the Board of Supervisors for action. The Ordinance has been duly advertised in the Butler Eagle, and a hearing was held at 3:15 on March 28, 2022.

*A Motion was made by Supervisor James Halstead to approve Ordinance 2022-01. The motion was seconded by Supervisor William Duncan. The motion carried unanimously. The Ordinance will become effective April 1, 2022.*

* Resolution No. 2022-04 is presented at the recommendation of the Township auditors Maher Duessel which revises previously passed Resolution 2021-05 and redirects the ARPA funds previously designated for 2022 use in storm sewer project material purchases and Park operating expenses to be used for payment of wages of employees in the Public Works Department. As spending criteria and procurement/accounting requirements have evolved over the past 6 months, this new use of the ARPA money received in 2021 will be much easier to report without the need for procurement compliance.

*A Motion was made by Supervisor James Halstead to approve Resolution 2022-04. The motion was seconded by Supervisor William Duncan. The motion carried unanimously.*

* McKay Road Clean-Up under the Township’s Adopt a Road Program was once again successfully completed by Mr. and Mrs. Ham on March 16, 2022. The Township is grateful for the time and effort they put forth to keep this Township Road litter free.
* 2021 Audit Management Representation Letter from the Township to Maher Duessel for the release of the Audit needs to be signed and sent to Maher Duessel. Manager Tom Hartwig provided and explanation as to why the Management Representation Letter is needed and that it is standard for municipalities utilizing an outside independent auditing firm for their audit. The letter essentially states that the Township has cooperated fully with the auditors and furnished all records and documentation requested by the auditors. It further states that to the best of the Township’s knowledge, the Township is in compliance with all regulatory matters pertaining to it and that the Supervisors and staff are not aware of any acts of fraud or wrongdoing during the audit period of 2021.

*A Motion was made by Supervisor James Halstead to authorize the Chairperson and Manager to sign the 2021 Audit Management Representation Letter and return it to Maher Duessel, the Township’s independent CPA firm. The motion was seconded by Supervisor William Duncan. The motion carried unanimously. The Ordinance will become effective April 1, 2022.*

* Employee Gary McCall’s employment availability has increased as he is no longer under earnings restrictions because of Social Security Retirement Age Guidelines. Mr. McCall has been working nearly a full-time work schedule over the past weeks. It is recommended that Mr. McCall’s hourly rate be increased to $22.00 per hour to reflect the change in his employment availability.

*A Motion was made by Supervisor William Duncan to increase the hourly rate of Gary McCall to $22.00 per hour. The motion was seconded by Supervisor James Halstead. The motion carried unanimously.*

* Addressing Employment and Staffing Matters:

*A Motion was made by Supervisor William Duncan to permanently layoff employee Gerry Geibel effective immediately and extend health insurance coverage to him through June 30, 2022, provided he reimburses the Township for his share of monthly costs. The motion was seconded by Supervisor James Halstead. The motion carried unanimously.*

* Brewer Road South Clean-Up under the Township’s Adopt a Road Program was successfully completed by Mrs. Kim Kazora and her family from Christ is the Answer Church to the Railroad tracks. The Township appreciates the time and effort they put forth to keep this part of Brewer Road litter free.
* Portable Stand-By Generator: A special thanks to Supervisor William Duncan for donating a portable generator to the Township for use by our Public Works Department to open up the garage doors in the new Public Works Garage during periods of power outage. The generator donation is greatly appreciated and will be of benefit to our Public Works Department in the future.
* Penn Energy Resources LLC will be installing a water line through the Saxon Golf Course Property to their well pad in Buffalo Township. Penn Energy has requested an Excess Maintenance Agreement in the amount of $12,500.00 for use of 0.1 mile of Coal Hollow Road. They will be submitting a Performance Bond for this amount. The Excess Maintenance Agreement needs approved.

*A Motion was made by Supervisor James Halstead to approve the Excess Maintenance Agreement with Penn Energy Resources LLC in the amount of $12,500 for bonding 0.1 mile of Coal Hollow Road. The motion was seconded by Supervisor William Duncan. The motion carried unanimously.*

**PUBLIC COMMENT ON NON-AGENDA ITEMS**

There were no comments from the member of the public in attendance on Non-Agenda Items.

**MOTION TO ADJOURN:**

*A Motion was made by Supervisor James Halstead to adjourn the March 28, 2022 Agenda Setting Meeting of the Clinton Township Board of Supervisors at 3:55 PM. The Motion was seconded by Supervisor William Duncan. The motion carried unanimously.*

The Meeting was officially adjourned at 3:55 PM.

 **By:**

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**Thomas L. Hartwig, P.E.**

**Manager/Engineer**