

CLINTON TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
May 9, 2022 7:00 PM
Clinton Township, 711 Saxonburg Blvd, Saxonburg, PA 16056

CALL TO ORDER

PLEDGE OF ALLEGIANCE

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, Solicitor – Excused

VISITORS PRESENT

John Ham
Mark Duster
Amanda Peterson
Bruce Lazar
Gary McCall
Todd Pfeifer

PUBLIC COMMENT ON AGENDA ITEMS

No member of the public in attendance at the May 9, 2022 Regular Meeting of the Board had comments on Agenda Items.

SECRETARY/TREASURER’S REPORT

- The Manager reviewed the Treasurer’s Report for May 2022 which covered the period of April 1, 2022 to April 30, 2022. The Manager reported that the overall ending balance of the Township increased by \$378,302.80 during April primarily as a result of receiving final settlement payments from Selective Insurance for the garage, three pieces of equipment, and tools. Additionally, revenues were strong due to receipt of Earned Income Tax payments and Real Estate Transfer Taxes. The Beginning Cumulative Balance of Township Funds on April 1, 2022 was \$946,900.66 and the Cumulative Ending Balance of Township Funds on April 30 2022 was \$1,325,203.46. The Manager pointed out that the Township is still awaiting receipt of the Truck Grant reimbursement from DEP as well as its 2022 ARPA Grant payment.

Supervisor William Duncan questioned what will become of the money that will remain in the Garage Fire Fund after the final payment for tools yet to be purchased by the Township is received from Selective. Manager Tom Hartwig replied that Ashley and himself need to verify the amount of any remaining encumbrance of funds set aside for Farmland Preservation. Once that amount is determined,

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thought to be \$40,000, that verified amount would be transferred from the Fire Fund to Farmland Preservation with the remaining monies left in the Fire Fund transferred to PLIGIT Capital Reserve Special Fund to be used for Capital Projects.

Supervisor William Duncan questioned why the ARPA grant money being used for Public Works payroll could not be just transferred into the Payroll Account instead of General Fund. Mr. Hartwig answered that all transfers into the Payroll Account come from the General Fund and keeping the ARPA money in the General Fund which always shows a significantly higher balance than the Payroll Fund will earn more interest if pooled that way.

- Review the Minutes of the April 25, 2022 Board of Supervisors Agenda Setting Meeting. There were no comments nor corrections offered on the minutes presented for review.
- Review Payroll #9 dated April 29, 2022. There were no comments on this payroll.
- Review and Approve All Bills presented for payment and ratification of payment in the amount of \$393.98 to Quickbooks for General Fund checks.

A Motion was made by Supervisor James Halstead to approve the Secretary Treasurer's Report including all bills presented for payment at this meeting and ratification of the bill paid to Quickbooks in the amount of \$393.98 for General Fund checks. The motion was seconded by Supervisor William Duncan. The motion carried unanimously.

At this point Chairperson Kathy Allen called for a discussion on the purchase of tools in order to get final reimbursement from Selective Insurance and close out the Fire Fund. Manager Tom Hartwig and Road Foreman Luke Brewer commented that we have not replaced all tools lost in the fire and could possibly spend up to the \$30,000 limit set for this by Selective Insurance. Chairperson Kathy Allen asked how much the insurance reimbursement would be and Manager Tom Hartwig responded that it would be a little over \$17,000 according to Selective Insurance. Chairperson Kathy Allen asked for a motion authorizing the final purchase of tools for a cost not to exceed \$30,000.

A Motion was made by Supervisor William Duncan to authorize the purchase of additional tools to replace what was lost in the garage fire for a cost not to exceed \$30,000.00. The motion was seconded by Supervisor James Halstead. The motion carried unanimously.

COMMITTEE REPORTS:

- Park Committee by liaison Jim Halstead: Supervisor James Halstead reported that the Park Board has met a few times and was formulating plans for cleaning the bathrooms and also adding a pollinator garden to the Park. John Ham added that he is planning on turning on the water to the Park in the near future. Chairperson Kathy Allen asked about the status of POD 4. Road Foreman Luke Brewer reported that the Public Works has completed about one-half of the access driveway back to POD 4 and will finish the work in late August after the crew completes some drainage projects. Mr. Ham expressed appreciation for the efforts do date.
- Planning Commission by liaison Kathy Allen: Chairperson Kathy Allen reported that after 44 years of dedicated service, William Duncan resigned from the Planning Commission and will be replaced by

Judy Wagner. Chairperson Kathy Allen led the Board, Staff, and Visitors in attendance in a round of applause for William Duncan and his amazing tenure of dedicated service to the Planning Commission and community. Chairperson Kathy Allen also reported that a Non-Voting Workshop is scheduled for May 24th and that work has commenced on the update of the Comprehensive Plan by the Planning Commission.

CORRESPONDENCE:

There was no correspondence presented for further discussion at this time.

SOLICITOR’S REPORT:

The Solicitor was excused from the May 9, 2022 Regular Meeting and the Township Manager reported, on her behalf, on the following active assignments:

1. Enforcement Matters with the Manager relative to 416 Sunmine Road – The Solicitor has prepared the enforcement letter to be sent to the owners of record at 416 Sunmine Road pending verification of the status of junk and vehicle removal by the Manager.
2. Hydrant District Recovery– The Solicitor is continuing to work on the official Ordinance for this matter.
3. Second Class Township Options for Interest Optimization on Accounts – A memorandum prepared by the Solicitor on this topic was distributed to the Board by the Manager.

MANAGER’S REPORT:

Public Works Garage Construction Status

The Manager reported that there is currently no change in the close out process on the garage project. The Township still await the Boiler Certificate from Labor and Industry which will trigger MDIA to issue the final Occupancy Certificate. The Manger indicated that he continues to keep emailing Labor and Industry every three days for updates but does not get replies back.

The Manager recommended at this point to begin to finalize the Contract with J.D. Miller and Sons Construction. The Manager preliminarily proposes that damages should cease to be accrued on the date when Labor and Industry received the HVAC Contractor’s signoff on the Labor and Industry Inspector’s punch list. By certified mail receipt, this was April 6th. If this date is used, damages would total \$2,750 and Miller’s final contract price would be reduced by \$2,750. Mr. Hartwig expects Miller to disagree with this and some discussion and possibly negotiation would occur. Mr. Hartwig also indicated that he believes Miller should share in one-half of the electric costs incurred beyond the original completion date for the garage. This amounts to \$1,122.12 based upon West Penn Power bills received for this period. However, the Manager indicated that he and Mrs. Kohley need to verify that these charges are based upon actual meter readings.

One more Final Compensating Change Order will be necessary to deduct adjust the contract price once discussions with Miller on liquidated damages and electricity usage are concluded.

Code Enforcement

In addition to what the Solicitor is working on regarding 416 Sunmine Road, the Manager reported that he has responded to several complaints over the past two weeks regarding violations of the Nuisance Ordinance. Mr. Hartwig indicated that he mailed out Complaint Forms to those making the complaints and will take the first steps in addressing the Nuisance Ordinance violations by sending out letters when the completed form is returned. The new complaints coming in involve violations of Section 107 of the Nuisance Ordinance regarding excessive and loud noise emanating from a property at 133 Alderson Road, as well as violations of Sections 104 and 105 of a property on Miller Road. The Solicitor has been informed of steps being taken and correspondence being sent.

Multi-Modal DCED Grant Application 2022

The Manager indicated that he continues to work with Cory Shaffer of PennDOT on the DCED Multimodal Grant Application for 2022 for the Victory Road Bridge. In the fall, the Manager stated that he will work on the PennDOT Multimodal Grant Application for the same project. Additionally, the Manager reported that he will continue to discuss the project with the County and is awaiting the new bridge inspection report from PennDOT to ascertain the current condition of the structure, including the end walls, which appeared to be showing signs of deterioration also and would make this a pretty significant project if an option other than an aluminum steel box culvert with end walls is selected. PennDOT must approve any design approach before the project is bid.

ROAD REPORT:

Facilities and Equipment

- 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.
- Peterbilt #2 has been taken to Penn Power Group in Cranberry for warranty work on the transmission.
- All the Trucks tailgate spreaders are off. They are cleaned up greased and stored away for next winter.
- The Road Department has been getting pricing on new tools for the new public works garage that will replace the ones that were in the fire.
- The John Deere 524L wheel loader has been getting worked on by Murphy Equipment. They have been doing warranty work on the bucket pins. As the Road Department has been having problems with them releasing.
- The Road Department took delivery of two pallets of crack sealer material for the roads.
- The Public Works Department worked with Russell Standard today assisting them with Tar and Chipping the Township Office Parking lot and the lower lot of the Road Department.
- The Road Department was out for 1 emergency callout on May 1st for a tree down on Sun Mine Rd.
- Public Works took delivery of Diesel fuel from Purvis Brothers in the Month of April.
- The Road Department got about halfway on the park entrance in the industrial park and will continue this project later this fall.
- The Public Works Department will be finishing cleaning up the Morrow property this week and have it all cleaned up.
- The Public Works Department has been mowing the grass at the Township building and the roundabout.

Roads

- The Road Department has taken delivery of about 220 ton of #3 stone for the park driveway. The Township also got about 90 ton of 1B stone for the parking lot for when they tar and chip it.
- The Public Works Department had Concrete Coring Company in Butler. Come out and saw cut a 25ft curb in the industrial park where the park entrance meets. The work turned out nice.
- The Public Works Department will be crack sealing roads the last week in May.
- The Road Department will start May 16th on replacing and installing drainage on Sandy Hill Rd.
- The Public Works Department has been working with Central Electric on getting cold patch and stone off them for fixing the bad spots on Mckay Rd.
- The Road Department and Armstrong Cable meet on Friday May 6th to discuss what the scope of the work they will be doing for installing new fiber-optic internet on Sandy Hill Rd.
- The Public Works crew has been patching potholes throughout the Township.
- Our crew has made and marked PA. One Calls for speed limit, weight limit signs, and other signs throughout the Township.

Chairperson Kathy Allen questioned the status of the clean up of the Morrow Property. Road Foreman Luke Brewer reported that the Public Works Department will be working on cleaning up the property this week. Scrap metal, wood debris, tree limbs, and foundation stone will be removed and hopefully the grass mowed. Chairperson Allen indicated that this clean up is a priority and she would like to have some split rail fencing and shrubs planted at the corner of Saxonburg Boulevard and Route 228. Manager Tom Hartwig said Graff Land Surveying has started work on the property survey and have been out several times.

A Motion was made by Supervisor William Duncan to approve the Solicitor's Report, the Manager's Report and the Road Report as submitted. The motion was seconded by Supervisor James Halstead. The motion carried unanimously.

NEW BUSINESS:

1. Register for Butler County Association of Township Officials Spring Conference. Supervisors to decide who will attend and Township will send it registration fees at a cost of \$28 per attendee.

A Motion was made by Supervisor William Duncan to authorize Kathy Allen, William Duncan, and Ashley Kohley to attend the BCATO Spring Conference at the Butler Country Club at a cost of \$28 per person on May 19th. The motion was seconded by Supervisor James Halstead. The motion carried unanimously.

2. Approval of the Commercial Plan Submittal by II-VI to install five Bloom Energy Outdoor Natural Gas Clean Energy Fuel Cell Power System as recommended by the Planning Commission at their May 2, 2022 Regular Meeting with three minor revisions requested by the Planning Commission addressed by II-VI.

Todd Pfeifer of II-VI was in attendance to provide an overview of the fuel cell project before the Board for approval. Mr. Pfeifer presented that there is a need for more power at the II-VI Saxonburg campus. II-VI has considered many options for obtaining this additional power. The most cost effective and practical option was determined to be the Bloom Fuel Cell Power System which is designed to generate

up to 1.5 megawatts of electricity to run the boilers and chillers on the main campus. This will in turn enable the 1.5 megawatts of power saved from the West Penn Power feed to be used for production needs. Mr. Pfeifer went on to say that in another 3 years or so, II-VI may need even more power due to production demands or facility expansion.

Mr. Pfeifer said that construction on the fuel cell project will begin in mid-June and be completed by the end of September if all goes well. Supervisor James Halstead asked what the life expectancy of the fuel cells are. Mr. Pfeifer reported that the fuel cells will run 24 hours per day 7 days per week and are powered by natural gas. Their life expectancy is 5 to 6 years at which point they are replaced. There are five fuel cells planned for this project and each cell is about the size of a large refrigerator. With some loss of efficiency, II-VI will realize about 1.25 megawatts of power of the 1.5 megawatts design capacity of the cells.

Supervisor William Duncan asked Mr. Pfeifer about the noise level for the cells. Mr. Pfeifer stated that the fuel cell installation will emit less than 70 dB of noise at a point 6 feet removed from the installation and will be much less at the property line or Boulevard. Chairperson Kathy Allen asked for confirmation that construction would be during the daylight hours. Mr. Pfeifer confirmed this. Mrs. Allen further wanted to know about air pollutants. Mr. Pfeifer reported that the level of nitrogen oxide emitted from all units collectively will be about 14 pounds per year in a vapor form and is so miniscule that DEP does not want to amend their present air quality permit. Mrs. Allen would like the Township to visit the site during construction to observe the installation of these units.

A Motion was made by Supervisor William Duncan to approve the commercial submittal by II-VI for five Bloom Energy Outdoor Natural Gas Fuel Cell Power System Units as recommended by the Planning Commission. The motion was seconded by Supervisor James Halstead. The motion carried unanimously.

3. Adopt a Road Clean- Up April 28th. Armstrong Farms generously donated their time to pick up litter on Westminster Road as a participant in the Township's Adopt a Road Program. Their efforts toward this visible and worthwhile community service project on a very busy road are much appreciated by the residents and Supervisors of the Township.
4. Request by Road Crew to work 9-hour days Monday through Thursday and 4 hours on Friday during the summer months (undefined at this point).

Road Foreman made a request to the Manager for the Public Works Crew to work four 9 hour days and 4 hours on Friday during the summer months. Extensive discussion was held on this matter as, as the Manager indicated, this would be a change in the Personnel Handbook for working hours. Mr. Brewer opined that it would give the Public Works Department an additional hour each day in the cooler early morning hours to do outside work and give them a little more time off on the weekend by being done after 4 hours of work on a Friday. Supervisor Duncan expressed concern over the health of the employees while working an extra hour in the summer heat each day and asked what the advantages were for this proposed schedule. Mr. Brewer again stated that an additional hour each day in the cooler early morning hours would be gained to do outside work. Chairperson Kathy Allen expressed concern over the older work crew working longer hours and perhaps an adverse impact on projects due to fatigue and time spent on moving equipment. Also Mrs. Allen was concerned over no coverage Friday afternoons if complaints are called in.

Mr. Brewer said Fridays would be shorter days where equipment cleaning and office grounds mowing

could be done. Supervisor Halstead asked how the road crew felt about this. Public Works employee Gary McCall was in attendance as a visitor and voiced that he did not care personally one way or another but all Public Works employees are in their mid to late 60s except for Luke and he was concerned too about longer weekday hours and the impact on the older employees. Mr. Halstead said it could be a morale booster to have a longer weekend but also a morale buster if the longer work days led to fatigue and heat exhaustion. Chairperson Kathy Allen felt the longer days would lead to decreased efficiency. Supervisor William Duncan felt that 8 hour work days were enough in the heat and longer days lead to decreased efficiency due to fatigue. Supervisor James Halstead did comment that other Townships typically work four 10 hour days but efficiency does tend to drop off from what he has heard.

A Motion was made by Supervisor James Halstead to approve a summer month work schedule of four 9 hour days with 4 hours on Friday for Public Works employees. The motion was not seconded by another Supervisor. The motion did not carry.

5. Planning Commission seeking approval to set up a tent on Election Day to solicit resident completion of the Comprehensive Plan Resident Survey. Supervisor approval requested.

A Motion was made by Supervisor James Halstead to approve the Planning Commission request to set up a tent on Election Day May 17th for the purpose of requesting residents to complete or take home for completion a Comprehensive Plan Survey Form. The motion was seconded by Supervisor William Duncan. The motion carried unanimously.

Manager Tom Hartwig offered his gratitude and compliments to Mrs. Judy Wagner for her dedicated efforts in designing and formatting the Comprehensive Plan Survey Form.

PUBLIC COMMENT ON NON-AGENDA ITEMS

Mr. Bruce Lazar of Miller Road spoke and offered a big “THANK YOU” to Luke Brewer for promptly fixing the potholes on Miller Road that evolved last winter when Mr. Lazar reported them. He also offered another big “Thank You” to Armstrong Farms for picking up litter on Westminster Road.

Mark Duster offered a complaint about the size of the stop sign at the intersection of Jack Road and Monk Road. He felt a larger more prominent sign was needed. Road Foreman Luke Brewer and Manager Tom Hartwig both indicated that our signs are PennDOT standard size and it is not wise to deviate from that size. Supervisor William Duncan suggested perhaps flashing stop signs at the intersection along with installing our speed warning device. Mr. Duster reported speeders and violators of the stop sign at that intersection are numerous. Mr. Hartwig also indicated we can notify the State Police to patrol and monitor that intersection.

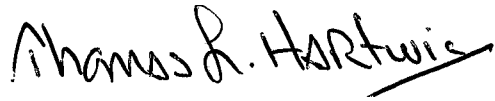
MOTION TO ADJOURN:

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A Motion was made by Supervisor James Halstead to adjourn the May 9, 2022 Regular Meeting of the Clinton Township Board of Supervisors at 8:00 PM. The Motion was seconded by Supervisor William Duncan. The motion carried unanimously.

The Meeting was officially adjourned at 8:00 PM.

By:

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