

BUTLER TOWNSHIP BOARD OF SUPERVISORS

August 13, 2018

MEETING MINUTES

Present: Doug Bower (Chairman), Russel Wertz, (Supervisor), Lloyd Keckler (Vice Chairman), Danielle Helwig (Secretary) , Paul Kriger, Natalie Johnson, Larry & Joan Bushey, Ed Wilkinson, Robert Funt Jr., Ronald Ebbert, Ed Miller, Pauline Streett, Rick Funt, George Guise, Garry Fair, Mr. Johnson (Natalie Johnsons Son), Howard Vines, Sharon Knowles, John Knowles, Gregg Briggs, John Phillips (Solicitor) and Jon Holmes (Engineer)

The meeting was called to order at 7:00 p.m. by Chairman Bower.

On a motion made by Wertz 2nd by Bower the July 2018 minutes were approved. Motion carried 2-0.

PUBLIC HEARING: Act 537 – Jon Holmes, Twp. Engineer, spoke briefly about the Plan. Studies showed two areas deemed potential needs areas, Guernsey Road and Yellow Hill. No proposal to extend public sewer or water at this time. Township is proposing to adopt On Lot Sewage Management and Well Drilling Ordinances. The on-lot management ordinance would require all Butler Township residents with on-lot sewage disposal to pump their septic systems at least once every three years. The well drilling ordinance would provide for regulation to meet the state requirement that a well shall be drilled at least 100 feet from the septic system, as well as other requirements. After two three-year septic pumping cycles or six years, the needs area's only would be re-evaluated to assess the potential need to extend public sewer or water to serve those areas. The floor was opened up for questions and comments. No comments were made, just questions for clarification were answered. Therefore no further revision of the Plan is required and adoption of the Plan will take place at the September 2018 Board of Supervisors meeting. Implementation of the Plan is expected to be 2019 following PADEP approval, at which time the proposed ordinances will be adopted and on-lot management program will begin.

Questions:

Can you choose your own pumping company? Yes.

Is there an inspection? Yes, typically the pumper will do the inspecting.

What if we have recently pumped our tank? There will be provisions in place to address this.

Will there be fees to the Township? No, at this time there will be no administrative fees. Only if the SEO would need to be involved to address a problem.

What if there are residents that fail to pump? There is a provision in the proposed ordinance to charge penalties to those property owners.

Will the pumpers submit the paper work to the township? Yes.

Secretary was directed to supply a copy of these minutes to be incorporated into the Act 537 Plan for submission to PADEP.

With no further comments or questions the public hearing was closed.

BUSINESS:

Audit Report- Tabled until September

Garry Fair: Earned Income Tax (Resolution 2018 – C) - The state is proposing to take over the collection of the local earned income tax. Garry is encouraging the Supervisors to sign a resolution (Resolution 2018 C) opposing House Resolution 291 and mail it to our local legislators as well as those currently running for office. Paul Kriger reported that the state probably will not put much effort into collecting those who are delinquent in paying the EIT.

On a motion made by Keckler, 2nd by Wertz the Supervisors approved to sign the Resolution 2018 - C opposing HR 291. Motion carried 3-0.

Office Furniture: **On a motion made by Wertz, 2nd by Keckler the Supervisors approved the purchase of used desk, credenza and 4 drawer lateral filing cabinet at the cost of \$200.00. Motion carried.**

Donald Taylor: State requires a Land Development Plan. Township ordinance does not meet the MPC. **On a motion made by Keckler, 2nd by Wertz Donald Taylor will be required to do a LDP for property at Mill Rd. Motion carried 3-0.**

SALDO amendments: The Township needs to amend SALDO to meet the standards of the MPC with regards to the D Taylor issue on Mill Rd. John Phillips suggests we review SALDO to determine if there are other areas of the SALDO that may need to be amended. Jon Holmes suggested the Twp. Planning Commission review SALDO also. The Supervisors directed Jon Holmes and the Planning Commission to review SALDO and make recommendations. A public hearing will need to be held prior to adoption of the amendments. No action needed

Gregg Briggs: Presented the revised SWM plan for the property at 370 Tree Lane showing a building size of 4000 sq. feet. Mr. Briggs received incorrect information that this SWM plan was approved. Mr. Briggs decided to build less than \$1000 sq. ft. Mr. Briggs needs to submit documentation to the Township documenting what he has built. And a Waiver for SWM worksheet is needed for current 500 sq. ft. building. The township still requires a waiver of the SWM. Mr. Briggs asked if his current plan would be useful to him in the future. John Phillips stated that approving the current plan as is now would not be useful in the future. Mr. Briggs will need to either draw up a new plan or revise the current plan.

Shawn Miller – Subdivision Plan – Table Rock Rd. The Township Planning Commission and Board of Supervisors have both recommended that for approval Lot 2 of the June 27, 2018 subdivision plan be expanded further to the east in order that the adjoining property to which it is to be added will meet the minimum lot size required by both the current Township Subdivision and Land Development Ordinance and the County Zoning Ordinance, as well as the applicable building setback requirements of the subject lot with respect to the existing northernmost shed to be located on the resulting lot. Additionally, the southern shed will need to be relocated north of the other shed in order to comply with the building setbacks.

A motion was made that to acquire approval the southern shed will need to be relocated and the lot addition needs to be made wider to conform to the requirements of the minimum lot size and building setbacks according to SALDO and the County Zoning Ordinance by Wertz 2nd by Keckler. Motion carried 3-0

On a motion made by Keckler, 2nd by Bower the non-building waiver was approved. Motion carried 3-0.

Sewer Billing and Status of Connections – Secretary believes that we have 9 committed Hookups not currently connected. Rick Garretson has 3 unused and has requested information on the process to sell them. The BOS stated the Township would not purchase them back. Mr. Garretson can sell them privately. Jon Holmes and the Secretary will meet to discuss the sewer billing to determine if an increase in the quarterly sewer fees is recommended.

COMPLAINTS:

Carol Burke – John Phillips, Solicitor sent Ms. Burke a 10 letter. It appears there has not been much done to satisfy the complaint.

On a motion made by Wertz 2nd by Keckler the Board has directed John Phillips, Solicitor to file papers and take Carol Burke to the Magistrate. Motion carried 3-0

1050 Stone Jug Rd – Several residents have come forward to place a complaint. There is debris, garbage, chicken coops and vehicles on the property. The resident (who is renting) drove a vehicle around the house several times created a muddy track. Large amounts of mud have been thrown and smeared on the sides of the home. There are small children at the property and the State Police have been called on a few occasions. It appears that they may have moved are in the process of moving out.

On a motion make by Wertz 2nd by Keckler the secretary is directed to send a letter to the property owner, Mr. Stull. Motion carried 2-0.

UPDATES:

89 University Dr. – The infiltration bed cannot be placed where originally it was to be built because of a water line. Unfortunately the current weather and the amount of rain the area is experiencing is holding up the infiltration testing. Once this is completed they will contact Jon Holmes to inspect everything.

Patrono- Jon Holmes contacted the Conservation District and they stated the infiltration berms are still not working properly. The contractor fixed the issue. With further inspection from the CD, it seems one of the berms is holding water. They will be scheduling another time to go out and inspect.

The secretary mentioned that there is still a balance due on this account. She will forward this information to John Phillips.

Flood Plain Ordinance: Jon Holmes will send an updated ordinance to John Phillips for review.

INFORMATION:

Zoning Meeting: The zoning committee is ready to present the Zoning Plan to the Members. A meeting is being scheduled to be held at the Arendtsville Borough Office at 6 p.m. The BOS and the Butler Planning Commission chose September 20. The Secretary will forward this information on to the County Zoning Office and to Arendtsville Borough, hopeful this date will suit all.

The NAREMA will hold its next meeting on Thursday August 16 at 7 p.m.

The Township web site is ready to be published.

PERSONNEL:

It is with great regret that we have received a resignation from Board member Lloyd Keckler. He is resigning due to personal issues and will be moving out of the Township. Chairman Bower and Board Member Wertz both thanked him for his service to the Township.

On a motion made by Wertz 2nd by Bower the Board accepted the resignation of Lloyd Keckler, Vice Chairman. Motion carried 2-0.

Per John Phillips this position does not need to be advertised however he does encourage it. The vacancy can also be placed on the new Township web site. The supervisors will need to appoint someone at the September meeting. If no interest and after 30 days it will go to the vacancy board and then to the Court of Common Pleas.

This appointee will serve through 2019. He/she will need to be placed on the ballot to be elected through the 2021 term.

On a motion made by Wertz 2nd by Keckler the July Payroll was approved. Motion carried 3-0.

On a motion made by Wertz 2nd by Keckler the expenditures from July 10, 2018 through August 13, 2018 were approved. Motion carried 3-0.

With no further business and on a motion made by Wertz, 2nd by Keckler the meeting was adjourned at 8:25. Motion carried 3-0.

Respectfully submitted:

Danielle Helwig

Secretary

August 21, 2018

These minutes are subject to change. They will be approved on September 10, 2018.