

BUTLER TOWNSHIP BOARD OF SUPERVISORS

Board Meeting Minutes -- October 9, 2017

Location: Butler Township Office, 2379 Table Rock Road, Biglerville, PA 17307

Attendees:

John Phillips, Jon Holmes, Larry & Joan Bushey, Chuck Stump?, Paul Kriger, Lloyd Keckler, Russel Wertz, Danielle Helwig, Richard Lemanowicz, representing Vertical Bridge, and Gentleman from Vertical Bridge

Absent: Doug Bower

Meeting came to order at 7:00 pm

On a motion made by Wertz, 2nd by Keckler and approved 2-0 the minutes from the September 11, 2017 BOS meeting have been approved.

89 University Drive -Richard Lemanowicz, Council for Vertical Bridge appeared to request the Board of Supervisors waive the need for a land development process for the construction of a cell tower at 89 University Dr. Mr. Lemanowicz presented court cases where the courts ruled that in cases such as this land development processes are not required. The project would be for passive use, no buildings, no sewer, no water and does not need to be manned. An erosion and sedimentation plan is required but not required to be presented the Conservation District. John Phillips asked for information regarding the status of the Zoning Permits. All documents have been submitted and Mr. Lemanowicz is working through that process with Rob Thealer. Mr. Phillips also commented on the fact that Mr. Lemanowicz has provided the Township with copies of plans that appear to be complete. The Butler Township Planning Commission recommended to waive the LD Plan. On motion made by Wertz, 2nd by Keckler and approved 2-0 the Board approved to waive the need for a Land Development Plan and directing Jon Holmes to review the plan and work with the client, Vertical Bridges for compliancy of the ordinances.

2189 Table Rock Rd – Rusty Ryan, Conservation District, has notified the Township that the property owner placed fill in a known flood plain and or flood way area and that the ACCD has not received any requests from the Property Owner to review. Land & Sea has stated they only permitted for the renovations to the existing home and no discussion took place concerning the encroachment/development with the flood plain/way area. The property owners need to be made aware that they must comply with Chapter 15, specifically sections 2, 46 C & D, 47 B & C, 48, and 71. The property owners have moved in and the Occupancy permit has not been issued. This permit will not be issued until full compliance with Chapter 15 requirements of the Township Ordinance have been addressed. On a motion made by Wertz, 2nd by Keckler, approved 2-0 the Supervisors directed The Secretary to send an enforcement letter to address the Flood Plain/Way area as well as the issue of the Occupancy Permit.

1175 Belmont Rd – This property received a permit to construct a swimming pool. Dan Inderbitzen, Goodall pools and Spas, Inc., was in contact with the secretary in July 2017. On July 6, 2017 Mr. Inderbitzen inquired about the need to address storm water management for this project. Per correspondence between Rusty Ryan, ACCD and Jon Holmes, Twp. Eng., Danielle Helwig, secretary responded on July 10, 2017, by email, that a 2013 SWM plan was currently on record and that an update to this plan would be needed. On September 13, 2017, Helwig, emailed Mr. Inderbitzen asking if he had received the email from July 10, 2017 as the project was underway. On September 14, 2017 Mr. Inderbitzen indicated, by email, that he received a phone call from someone (a man) and was told that he did not need to address SWM because the water area is not considered to be impervious area and there will be less than 1000 sq. ft. of patio. He does not remember who and does not have a date for this call. Per Jon Holmes, The current plan on file is no longer accurate. On a motion made by Wertz, 2nd by Keckler and approved 2-0 the Secretary has been directed by the Supervisors to send a letter to the property owners that the SWM plan needs to be revised.

On a motion made by Wertz, 2nd by Keckler approved 2-0, the Supervisors approved the membership fee in the amount of \$200.00 for the Adams Economic Alliance.

On a motion made by Wertz, 2nd by Keckler approved 2-0, the Supervisors set the 2018 tax rates as follows:

Real Este Millage	.4972 Mil
Per Capita	\$ 5.00
Amusement Tax	10% of Total
Transfer Tax	1/2 of 1%
Earned Income Tax	1/2 of 1%
Discount	2%
Penalty	10%
Fire Tax	.25 Mil

On a motion made by Wertz, 2nd by Keckler approved 2-0, the Supervisors approved the following donations:

Adams County SPCA	\$ 1,000.00
Rabbit Transit	\$ 250.00
Biglerville Fire Department	\$ 6,000.00
Arendtsville Fire Department	\$ 1,000.00
Heidlersburg Fire Department	\$ 1,000.00
Upper Adams Senior Center	\$ 500.00

On motion made by Wertz, 2nd by Keckler approved 2-0, the Supervisors approved Township participation in the LUCA, Local Update of Census Addresses. This program will have the Township review and comment on the Census Bureau's residential address list for their communities prior to the 2020 census.

On a motion made by Wertz, 2nd by Keckler and approved 2-0, the Supervisors approved a 3 day (November 28, 2017, January 13 & January 20, 2018) PSATS Boot Camp training for Danielle Helwig, Secretary/Treasurer in the amount of \$149.00.

The 96th annual PSATS Conference is April 22-25, 2018. The Supervisors will decide at a later date who will be attending.

The annual Township Association Convention will be at SAVES on November 8, 2017.

The Secretary presented the Supervisors with a list of health care plans with different companies provided to us by the representative from Webb Insurance. To keep the same coverage the best premium falls under Capital Blue. On a motion made by Wertz, 2nd by Keckler and approved 2-0, the Supervisors approved to renew the policy for Health Care through Capital Blue.

Mill Rd- Taylor - Secretary confirmed that there is no further action needed by her at this point for this project. Waiting on L & S for permit and SWM information. No action needed.

ACT 537 Update - Jon Holmes updated the Board on Act 537. Consultant will be doing support work. Documents should be finalized for Solicitor review. When this is squared away Jon will meet with KPI and move ahead with the

on lot investigations and well samplings. Advise DEP that we will not meet the end of year date and will need to address another completion date. DEP is more concerned that we are making progress. Will Send John Phillips two agreements regarding consultants, one for general 537 support and the other to provide support to Jon Holmes if something is needed that is beyond his expertise for a certain period of time.

MS4 Update – DEP needs formal waiver application. Jon is completing the final form and is requesting a \$500.00 check to accompany the application. Jon understand the waiver should be good for 5 years. On a motion made by Wertz, 2nd by Keckler and approved 2-0 the secretary is directed to submit the MS4 application once Jon Holmes has approved it along with a check for \$500.00.

Legislation – nothing to report

Zoning Update – nothing to report

INFORMATION – NO ACTION NEEDED

- Hill Crest Dr. Sewer
- Estimated Liquid Fuels allocation for 2018 is \$149,448.96
- Estimated turn back allocation is \$42280.00
- PSATS Unemployment contribution rate went from 1% to 3.6 % because of UC in 2016
- Barberis – Brookside Ln - Conservation District inspected and provided feedback for filling in of fallow field for Ag production.
- Contingency Plan will be used for Apple Harvest, due to 234 bridge closure, traffic will be directed to use Route 394 only. Fire Police will be in place to direct traffic.
- Arendtsville Fire Department compliance audit report available for review
- Hazmat spill in Biglerville on October 4, 2017 Apple Butler entered the run which goes under the plant down to the rear of the Dollar General Store proceeding to the creek in Butler Twp. This is considered to be a low impact event
- 2017 General Municipal Pension System State Aid is \$13764.76
- 2017 Volunteer Fire Relief State aid allocation is \$16652.63

BUDGET – Secretary presented the BOS with the proposed 2018 budget. Revisions and approval of the Budget will occur at the November 13 Board of Supervisors meeting.

On a motion made by Wertz, 2nd by Keckler and approved 2-0 the September payroll was approved.

On a motion made by Wertz, 2nd by Keckler and approved 2-0 the expenditures through October 9, 2017 were approved.

On a motion made by Wertz, 2nd by Keckler and approved 2-0 and with no further business the meeting was adjourned at 8:05 p.m.