



# LANCASTER TOWNSHIP

## BUTLER COUNTY, PA

### **Board of Supervisors – Regular Business Meeting Summary**

- I. Call to order**— Chairman Kessler called the October 17, 2022, Board of Supervisors Business Meeting to order at 6:00pm.

Members present:     Greg Kessler, Chairman  
                              Joe Plesniak, Vice-Chairman  
                              Tim Zinkham, Supervisor

Staff and Appointed Officials:   C. Michael Foote, Manager  
                                          Neva Stotler, Solicitor  
                                          Tom Thompson, Engineer  
                                          Mike Cornell, Police Department  
                                          Kristine Smalley, Office Administrator

- II. Pledge of Allegiance**— Chairman Kessler led the attendees in the Pledge of Allegiance.

- III. Agenda Revisions or Additions**— Chairman Kessler asked whether there were any revisions or additions to the agenda.

1. Township Manger requested to table item VIII A. Road Adoption until a later meeting.
2. Township Manger requested to add PA House Representative Aaron Bernstine would like to address the board and public

- IV. Public Comment on Agenda Items**— Chairman Kessler asked if there was any public comment on agenda items.

1. David Smith, Seneca Landfill addressed issues pertaining to the conditional use hearing that was held on Monday, September 19, 2022. Seneca Landfill does a blasting notification and if anyone would like to receive a text message, they can sign up for it through Seneca Landfill. It is hard to do a 48-hour notice because things could change at the last minute because of weather but is willing to get the notice out as soon as possible. They have planted approximately 288 trees and will be planting additional trees and landscaping in the spring. Odor control is done by collecting the gas and



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reusing the gas to operate their trucks and what is left they sell to Peoples Gas. They use a natural oil that is sprayed, and it bonds with the garbage and suppresses the odor to the ground. They are required to be twenty feet from the Mark West Pipeline.

2. Sandra Cox asked if the minutes from the May 16, 2022, meeting would be corrected and submitted for the correction that a subpoena and restraining order was handed to Chair Kessler.

### V. Discussion Items

1. Chairman Kessler asked if there was a representative from the Harmony Fire District to review the 2022 Budget and information and regarding the HFD 2023 Budget – Manager Foote asked that this be rescheduled to the November meeting because the Fire Department had finding a representative to attend this meeting.
2. PA House of Representative Aaron Bernstine introduced himself as the new Representative for the District which includes Lancaster Township. Rep. Bernstine shared he will be opening an office in Butler County in the near future. He asked residents to contact his office if they needed help or support on any matters such as driver licenses, unemployment or any state issues. He also offered help with grants and any matters for the Township.

### VI. Administrative Business

- A. Chairman Kessler addressed that there was an Executive Session held on Monday, September 26, 2022, to discuss matter with a professional advisor.
- B. Approval of Prior Meeting Minutes
  1. Vice-Chairman Plesniak moved to approve the minutes of the September 26, 2022, Board of Supervisors Business Meeting. Supervisor Zinkham seconded the motion. Motion carried unanimously.
  2. Vice-Chairman Plesniak moved to approve the minutes of the October 3, 2022, Board of Supervisors Agenda preparation meeting. Supervisor Zinkham seconded the motion. Motion carried unanimously.



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### VII. Finance

- A. Financial Report- Vice- Chairman Plesniak moved to accept the October 2022 Treasurer's Report. Supervisor Zinkham seconded the motion. Motion carried unanimously.
- B. Bill Pay List- Vice- Chairman Plesniak moved to approve the Bill List for payment of invoices from September 14, 2022, through October 11, 2022, totaling \$132,446.77 from the General Fund.
- C. Foreign Fire Tax -2022 Fire Relief Payment ACT 205 – Supervisor Zinkham moved to approve the payment of \$22,643.36 from the General Fund to Harmony Fire District Relief Association in compliance with ACT 205. Vice Chairman seconded the motion. Motion carried unanimously.
- D. Harmony Fire District -Q3 Fire Tax Distribution – Supervisor Zinkham moved to approve the Q3 Fire Tax Distribution totaling \$4,401.24 from the General Fund. Vice-Chairman seconded the motion. Motion carried unanimously.

### VIII. Planning, Land Use, and Zoning

- A. Road Adoption for Plantations I- has been rescheduled for November 21, 2022, Board of Supervisors meeting.
- B. Road Adoption – Scenic Ridge - Vice – Chairman Plesniak moved to adopt Resolution 2022-12 accepting of Springfield Drive, Heatherfield Court, Laurel Court, Northview Drive and Wedgewood Court in the Scenic Ridge Plan of Lots. Supervisor Zinkham seconded the motion. Motion carried unanimously.

**Vice – Chairman Plesniak motioned to recess for deliberation on the Conditional Use items at 6:23PM. Supervisor Zinkham seconded. Motion carried unanimously.**

**Board of Supervisors Meeting reconvened at 6:59PM**

- C. Conditional Use Decisions
  - 1. Vice-Chairman Plesniak motioned to approve the Conditional Use Application, 2022-02 submitted by Seneca Landfill for strip mining at 260-262 Swain Hill Road, based on the conditional use requirements that Solicitor



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Neva Stotler read. Supervisor Zinkham seconded the motion. Motion carried unanimously.

D. Supervisor Zinkham moved to approve the Conditional Use Application, 2022-01 submitted by Old Dominion Freight Line, Inc. for a Freight Terminal/Truck Terminal at 400 Perry Highway, based on the conditional use requirements that Solicitor Neva Stotler read. Vice-Chairman Plesniak second the motion. Motion carried unanimously.

### E. Building Permits

1. Chairman Kessler announced that the number of building permits issued September 2022 was 17. The total number of building permits issued so far in 2022 was 150. Chairman Kessler announced that a PDF of the building permits issued can be found on the Township's website and paper copies of the report are available on the back table.

## IX. Police Department

A. Police Report- Chairman Kessler asked Sergeant Cornell for his report. Sergeant Cornell read from his prepared report.

## X. Road Department

A. Road department Report- Manager Foote stated Mr. Spiker could not attend and a copy of the report has been provided to the board and is posted on the website

B. Manger Foote mentioned that the road crew are currently doing a road and sign inventory.

C. Vice- Chairman Plesniak moved to approve the temporary closure of Church Hill Road commencing on November 1, 2022 and ending on April 1, 2023. Supervisor Zinkham seconded the motion with a condition that 911 and 1<sup>st</sup> responders are notified. Motion carried unanimously.

D. Vice-Chairman Plesniak moved to adopt Resolution 2022-22 accepting 0.016 miles of LR 10040 from PennDOT. Supervisor Zinkham seconded the motion. Motion carried unanimously.



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- E. Vice-Chairman Plesniak moved to authorize Chairman Kessler to execute form PR-996 accepting payment of \$58,405.00 from PennDOT to perform road upgrades to LR10040. Supervisor Zinkham seconded the motion. Motion carried unanimously.

### **XI. Community Outreach**

- A. Historical Records Committee Report – Kathy Ligday mentioned that they will not be having the Heritage Days this year and they are currently working on a calendar for 2023 and would like to possible set up a table during election day to try to sell it.

### **XII. Administration Reports:**

- A. Managers' Report
1. Scheduling of Budget Hearing for November 2<sup>nd</sup> or 3<sup>rd</sup> and November 9<sup>th</sup> or 10<sup>th</sup> at 5:00PM.
  2. Update on the Southwestern Butler Storm Water Grant should be awarded in November
  3. Township Manger has provided you with the Synopsis from the Comprehensive Planning meeting on October 3, 2022.
- B. Solicitor's Report – None
- C. Engineers Report – Tom Thompson reported that there are two grants that will be available in December, for stormwater and wastewater.
- D. Chair's Report – None

### **XIII. New Business-** Nothing to report

### **XIV. Old Business** – Nothing to report

### **XV. Public Comment for Non-Agenda Items**

1. John Meyer –
  - a. Thank you to Supervisors and Roadmaster for the bank work that was done.
  - b. Questions on Butler Equipment and having green space and landscaping, is the stormwater being inspected with all the current land movement they have done, they were to have a wash bay and that has not been completed so all the oil is being washed into the creek, equipment placement on property needs to be watched so it's not to close to the road and blocks traffic views.
  - c. M&W Wack – conditional use on parking, junk yard and a truck with sign, they are not to be doing welding, but they are.



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2. Sandra Cox –
  - a. There is a new line item in the 2022 budget for Zoning in the amount of \$50,000.00. What is the intention to use this money for? Also, the legal fees are 5 times higher than 2021 budget amount, there are not explanations for the increase on this.
  - b. Several residents are operating a business in the rural residential area and when I requested a RTK for copies on registered Nonconforming Uses, I was told there weren't any. Is the Township going after each business that is being operated in the Township?
  - c. Questioned the increase in the Legal Fees line item from 2021 to 2022.
  - d. Should the taxpayers be expecting another increase in zoning and legal fees for 2023 Budget?
  - e. Thanked staff for access to the Financial Report and other documents on the Township's web site.
3. David McDonald- Scenic Ridge – wanted to acknowledge the professionalism of Road Master Michael Spiker and his crew, they are knowledgeable and willing to answer any questions.
4. Barb Hutchinson – Scenic Ridge – had a question on the detention pond that has now been turned to a retention pond and if there are guidelines as to what you can and cannot do with them. Tom Thompson said that there is a maintenance plan and guidelines through the HOA.
5. Sandra Cox has asked that the minutes note that a subpoena was handed to Chair Kessler on May 16, 2022 at the end of the Board of Supervisor Regular Business meeting in advance of adjournment. *(This notation will be made in the section of tonight's minutes that reflect public comment.)*

### XVI. Adjournment

1. Vice – Chairman Plesniak moved to adjourn the meeting at 7:25 pm. Supervisor Zinkham seconded the motion. Motion to adjourn was carried unanimously.