

**SOUTH STRABANE TOWNSHIP
BOARD OF SUPERVISORS REGULAR MEETING**

February 22, 2022

APPROVED MEETING MINUTES

1. CALL TO ORDER

The February 22, 2022 Regular Meeting of the South Strabane Township Board of Supervisors (“Board”) came to order at 7:04 p.m. in the Meeting Room of the Municipal Building (550 Washington Road, Washington, PA 15301).

The following were present:

Board of Supervisors	Bob Weber, Chair; Mark Murphy, Vice Chair; Bracken Burns; Russell Grego; and Richard Luketich.
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Absent	None
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Also Present	Township Manager Brandon Stanick; Assistant to the Township Manager Jim Sutter; Police Chief Drew Hilk; Township Solicitor Dennis Makel; Township Engineer Kevin Creagh; and Code Enforcement Officer Troy Lucas.
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Chair Weber reported the Board had met in Executive Session prior to tonight’s meeting to discuss personnel matters and potential litigation.

2. PLEDGE OF ALLEGIANCE

Chair Weber lead the Pledge of Allegiance.

3. PUBLIC COMMENT

The Board allocates a period of time during this item for those individuals who would like the opportunity to address the Board on any matter. Each person addressing the Board of Supervisors is asked to limit their comments to a maximum of three (3) minutes.

Ms. Penny Steggles, resident on Floral Hill Drive, asked if the Township has received any money from the American Rescue Plan Act. Solicitor Dennis Makel stated they received some last summer and will receive more this coming summer. Township Manager Brandon Stanick stated the Township will receive approximately \$900,000 and it has not yet been determined how these funds will be utilized. Mr. Makel stated the Township has several years until these funds need to be used. Ms. Steggles asked if how the funds are spent will be public. Mr. Makel stated the Board must pass a resolution to use the funds, so it will. Ms. Steggles expressed her opinion that communication in the Township must improve. Ms. Steggles asked if the Police Department will

be purchasing a new K9 officer. Chair Weber stated this will be discussed later during the meeting. Ms. Steggles suggested the Township purchase a friendly dog that can be taken into schools.

Ms. Judi Panasik, resident on Green Crescent Drive, expressed concern for no longer allowing comments over Zoom. Ms. Panasik expressed her displeasure with the Township's involvement in the Manifold Forcemain Upgrade Project. Ms. Panasik expressed concern over the proposed awarding of design services for the Tanger Boulevard Reconstruction Project to KLH Engineers and claimed they have let down the Township in the past. Ms. Panasik questioned why firefighters not living in the Township are being hired.

4. CONSIDERATION OF MEETING MINUTES

Mr. Luketich moved to approve the Board of Supervisors Regular Meeting Minutes from January 25, 2022 as presented. Mr. Murphy seconded the motion. The motion passed on a unanimous voice vote.

Mr. Murphy moved to approve the Board of Supervisors Special Meeting Minutes from February 8, 2022 as presented. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

Mr. Luketich moved to approve the Board of Supervisors Non-Legislative Meeting Minutes from February 8, 2022 as presented. Mr. Murphy seconded the motion. The motion passed on a unanimous voice vote.

5. FINANCIAL BUSINESS

The Board considered the following financial business:

- Payroll: \$ 128,107.03 (pay date of January 28, 2022)
- Payroll: \$ 134,913.93 (pay date of February 11, 2022)
- General Fund: \$ 404,475.35
- Liquid Fuels Fund: \$ 55,992.58
- Escrow: \$ 1,582.83
- **Total Expenditure: \$ 725,071.72**

- Overtime costs for the period include:
 - Police: \$ 2,587.15
 - Fire: \$ 2,073.43
 - Public Works: \$ 5,003.88
 - **Total OT: \$ 9,664.46** (pay date of January 28, 2022)

 - Police: \$ 5,407.85
 - Fire: \$ 2,681.07
 - Public Works: \$ 9,895.81
 - **Total OT: \$ 17,984.73** (pay date of February 11, 2022)

General Fund:

- Municipal Employees Insurance Trust (March Coverage) \$ 50,062.41
- Zions Bank (General Obligation Bond – Series 2019 PD/PW Bldg.) \$206,828.13

Liquid Fuels Fund:

- American Rock Salt (786.44 Tons Bulk Ice Control Salt) \$ 53,045.37

Mr. Luketich moved to approve the payroll for the periods January 9 through January 22, 2022 and January 23 through February 5, 2022 and Bills for the period January 22, 2022 through February 18, 2022. Mr. Murphy seconded the motion. The motion passed on a unanimous voice vote.

6. ANNOUNCEMENTS

Police Chief Drew Hilk and Officer Keith Zenkovich addressed to the Board regarding the recent passing of K9 Tornado. Chief Hilk thanked the Board for taking the time to recognize Tornado's service and stated his unfortunate passing was due to an unforeseen medical condition. He then invited his partner and handler Officer Keith Zenkovich to say a few words. Officer Zenkovich gave a brief overview of the discovery of Tornado's condition and stated he passed away on January 27, 2022 surrounded by himself, his family, the Chief and fellow officers. He thanked the Board, Township Manager, Chief Hilk and the North Strabane Police Department for their support during this difficult time.

Officer Zenkovich stated the goal when this program was started was to make Tornado an ambassador of the Township and he feels this was accomplished. He stated Tornado was utilized on 26 different occasions and no officer was injured or assaulted as a result of his presence. Additionally, there were daily public relations visits to the Community Park, which Tornado loved. Mr. Zenkovich expressed his sincere appreciation for the support and compassion he has received.

Chair Weber expressed his appreciation for Tornado's work and asked for everyone in attendance to have a moment of silence.

In response to a question from Mr. Luketich, Officer Zenkovich stated he had and that he was used heavily for public relations through the local schools and businesses.

7. TOWNSHIP REPORTS

Municipal Separate Storm Sewer System (MS4) Report

The Board of Supervisors allocates a period of time during this item for comments regarding the topic of stormwater. Each person addressing the Board of Supervisors is asked to limit their comments to a maximum of three minutes.

Ms. Panasik expressed her concern over stormwater from Meadows Landing's property flowing into the stream which flows through Ms. Scuvotti's property on Pine Valley Road.

Township Manager's Report

Mr. Stanick submitted the following as a part of his report:

Manifold Pump Station Capacity Increase

For the Board's information, a memorandum dated September 20, 2021 from Township Engineer Creagh to Mr. Sherrieb of Washington-East Washington Joint Authority ("WEWJA") is attached providing an overview of the increase in capacity that will result with the completion of the Manifold Forcemain Project.

Proposal for Sewage Facilities Program Grant (NOT the update to the ACT 537 Plan)

As requested by the Board, Mr. Creagh has provided a proposal in the amount of \$1,500 to complete the grant application from the DCED which runs from February 1st through May 31st. Given the Board's direction, and that grant administration funds are budgeted for 2022, the Township Manager will execute the proposal using funds from the General Fund. The grant is a 50/50 matching grant, which Mr. Creagh proposes a fee of \$25,000 to complete the update to the Act 537 Plan. It is anticipated the update will be funded in the 2023 Budget and at that time will consider a proposal from KLH for the update to the ACT 537 Plan.

Proposal for Tap-In Fee Update

Also, as requested by the Board, Mr. Creagh has provided a proposal in the amount of \$5,000 to complete an update to the Tap-In fee structure in the amount of \$5,000. Given the Board's direction, if satisfied, the cost for this project will come from the Township's Sanitary Sewer Enterprise Fund.

Status of WEWJA Agreement

WEWJA's Board of Directors meets next on Monday, February 28th. Although the Township has received no communication from its solicitor at this time, it is anticipated this is the first opportunity the Board of Directors will have to consider the agreement for sewage services.

Smith Shaft Reclamation

In the early 2000's, CNX (then Consol) donated the land that is now Community Park with the exception of a portion on the western half that contains an air shaft from a former mine ("Smith Shaft"). Late last year, Public Works Director Grego and Township Manager Stanick conducted an onsite meeting with representatives of CNX, American Consolidated Natural Resources, Inc., Washington County Land Resources, Inc. and DEP for the purposes of determining final reclamation conditions of the land (see attached aerial). It is anticipated that the bond will be released by the DEP back to Washington County Land Resources, Inc. before the end of the year. As spring approaches, the Township, with assistance from CNX, will remove the large earthen mound, fencing and concrete coping that remains.

24/7 Fire Services Commences Sunday, February 20, 2022

Although the Fire Negotiations Committee and the Fire Union continue to negotiate the terms of a new contract, and after sharing a proposal with the Board that was developed by the Committee and the Union, the South Strabane Fire Department will be providing fire protection and rescue and EMS services on a 24 hour, seven days per week basis, running four platoons of two in 10-hour and 14-hour shifts. The approximate cost for this increase in service is ~\$31,640.

Mr. Stanick invited Township Engineer Kevin Creagh to discuss his memorandum regarding the Manifold Pump Station Capacity Increase in more detail. Mr. Creagh discussed the mechanics of the actual project and the overall need, stating the Manifold Pump Station is at or near capacity. A discussion ensued.

Following his report, Mr. Stanick invited new Code Enforcement Officer Troy Lucas to give an update on his activities. Mr. Lucas stated he started at the beginning of January. Since then, he has issued 51 violations, approximately 90% of which are for junk vehicles. Chair Weber asked if he is enjoying his new position. Mr. Lucas replied in the affirmative.

Secretary/Treasurer's Report

The following was transmitted to the Board through the Secretary/Treasurer's Report:

Minutes and Agendas:

- a) Planning Commission Regular Meeting Minutes – December 2, 2021;
- b) Planning Commission Regular Meeting Minutes – January 6, 2022;
- c) Planning Commission Rescheduled Meeting Agenda – February 10, 2021; and
- d) Green Team Meeting Agenda – February 17, 2022.

Reports and Publications:

- a) Finance Report – January 2022;
- b) Finance Report of former Sanitary Authority – January 2022
- c) Fire Department Report – January 2021;
- d) Building Department/Code Enforcement Report – January 2022;
- e) Police Department Report – December 2021 & January 2022;
- f) Tax Collector's Report & Interim Collection Only – January 2022;
- g) Animal Control Officer's Report – January 2022;
- h) Township Engineer's Report – February 22, 2022;
- i) PSATS News Bulletin – January 2022;
- j) PennDOT District 12, Progress Report – Volume 5 Issue 2;
- k) OR Legal Notice Reschedule Fire Hydrant Special Meeting. – February 3, 2022; and
- l) OR Legal Notice Reschedule February Planning Commission Meeting; February 8, 2022

Correspondence:

- a) Letter (example) dated January 31, 2022 from Brandon Stanick to Ms. Bindas and multiple residents regarding the termination of the Sanitary Authority and to continue to the debit services for the project to WEWJA.
- b) Letter dated February 1, 2022 from County of Washington, Elections Director Melanie Ostrander regarding the Township Building as a polling place for Primary and General Elections;
- c) Letter dated February 2, 2022 from Citizens Library Executive Director, Diane Ambrose regarding their appreciation for the 2021 appropriation of \$9,700;
- d) Facebook post from February 4, 2022 regarding the great work the Road Crew did with the snow removal;
- e) Email dated February 9, 2022 from Mike Ierino of Makel & Associates regarding Mr. Delsignore's fence on a vacant lot off N. Main Street;

- f) Letter (*w/o attachments*) dated February 10, 2022 from EQT regarding its permit applications to drill the proposed Cogar Well in Fallowfield Township;
- g) Letter dated February 11, 2022 from Brandon Stanick to Mr. Faith, District Mine Manager for PADEP-California DMO, regarding the Wash. Co. Mine CMAP # 63841302 to leave in-place the mine site known as Smith Shaft; and
- h) Email dated February 16, 2022 from Brandon Stanick to Ms. McDaniel and Mr. Uram, regarding the water service on Strabane Drive.

Copies of those items in italics are not attached, but available upon request.

Township Solicitor's Report

Solicitor Dennis Makel reported he had assisted with labor negotiations with Public Works, drafted easement agreements and development agreements with Meadows Landing and Burkett Manor.

Township Engineer's Report

Township Engineer Kevin Creagh reported on the following activities:

Manifold Road Forcemain Project 454-16

- KLH has received the contracts from South Strabane. We had a pre-construction meeting on February 8th with the J5 Construction on the site of the Trolley Museum. Representatives of the Trolley Museum were present and agreeable with the work proposed on their site.

Community Park 454-08

- KLH completed the as-builts of the forcemain for potential adoption by WEWJA.

Billy Bell Park 454-13

- The final 10% of the grant has been approved by DCNR and will be transmitted to the Township.

Developer Review Letters 454-03

- KLH has provided input on the pre-application of Snuffy property for the Planning Commission.

There were no questions regarding the Township Engineer's Report.

8. UNFINISHED BUSINESS

8A: Resolution Authorizing the Board of Supervisors of South Strabane Township to Enter into an Intergovernmental Agreement with the Redevelopment Authority of the County of Washington for the Purposes of Sewage Service Under the Authority of the Intergovernmental Cooperation Act

Mr. Luketich moved to remove the item from the table. Mr. Grego seconded the motion. The motion passed on a unanimous voice vote.

Mr. Stanick reported, as a result of terminating the South Strabane Township Sanitary Authority (“SSTSA”) on December 14, 2021, the Township has engaged the Washington County Redevelopment Authority (“Redevelopment Authority”) in a revised agreement for providing sewage service in the Racetrack Road Watershed.

The agreement, which was the same agreement between the SSTSA and Redevelopment Authority, is in regard to the sanitary sewer facilities that were installed as a result of development along Racetrack Rd. Additionally, new development along Racetrack Road in the Township will connect to this system which was financed by the Redevelopment Authority. Since the Redevelopment Authority financed the construction of the facilities, the Township will reimburse through tap-in fees generated as part of future development in the watershed at a rate of \$1,609.05 per Equivalent Dwelling Unit (“EDU”). As of December 31, 2020 (per the 2020 Audit), \$347,484 is due to the Redevelopment Authority. All collection facilities will be deeded to WEWJA once paid for in full.

In its discussions with the Redevelopment Authority, the Township Solicitor has updated the agreement reflective of its request to: i) strike Section 3E regarding sewer line installation by Tanger Properties as this is now complete and has been for some time; and ii) extend the timeframe in Section 11 allowing the Redevelopment Authority 15 years to recoup its costs for sewer facilities in this watershed.

Mr. Burns moved to approve the resolution authorizing the Board to enter into an intergovernmental agreement with the Redevelopment Authority for the purposes of sewage service under the authority of the Intergovernmental Cooperation Act. Mr. Luketich seconded the motion.

Mr. Murphy inquired on several different fees mentioned in the agreement. Mr. Stanick provided more information and a discussion ensued. Mr. Murphy asked for clarification on when the original agreement was signed and how much remains to be paid off. Mr. Stanick confirmed approximately \$340,000 remains and a discussion on the history of the agreement ensued.

The motion passed on a unanimous voice vote.

8B: Motion Awarding a Bid for Professional Engineering and Surveying Services for the Tanger Boulevard Reconstruction Project to KLH Engineers of Pittsburgh, Pennsylvania

Mr. Luketich moved to remove the item from the table. Mr. Murphy seconded the motion. The motion passed on a unanimous voice vote.

Mr. Stanick reported, in 2019 the Township was awarded a grant in the amount of \$440,000 under the Washington County Local Share Account Program (“LSA”) for the purpose of defraying a portion of the costs of the Tanger Boulevard Reconstruction Project (“Project”). Through an agreement with Chapman Properties, Chapman will provide an additional \$100,000 toward the Project for a total of \$540,000.

The Township is in receipt of 13 responses to its Request for Proposals (“RFP”) for surveying, design, bid and construction oversight for the Project. The RFP was emailed to several local engineering firms, as well as a notice published in the December 31, 2021 edition of the Observer-Reporter; RFPs were due by 4:00 p.m. on January 18, 2022. Recall, at its October 26, 2021 meeting, the Board approved a Cooperation Agreement with the Redevelopment Authority to allow the Township complete management and oversight of the Project. The Cooperation Agreement requires the Township to abide by rules concerning the obtaining, disbursement and usage of grant funds. An engineering firm will serve as the Project Manager with assistance from the Public Works Director.

As the Township will be using local funding for this portion of the Project and not LSA funds, it is recommended the Board award the design and engineering services to KLH Engineers in the amount of \$25,500 (\$4,000 less than KLH originally bid) and reject all other bids. Once the award for design services is made, and the specifications are provided by the firm, the Township will then use the design prepared and bid for the construction of the Project.

Mr. Grego moved to award a bid for professional engineering and surveying services for the Project to KLH Engineers of Pittsburgh, Pennsylvania in the amount of \$25,500. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

9. NEW BUSINESS

Chair Weber announced the Board will consider Item 9J before the other matters in New Business.

9J: Motion Authorizing the Police Chief to Pursue a New K-9 Unit

Mr. Stanick reported a motion is being presented authorizing the Police Chief to pursue another canine for the Township’s K-9 Unit Program. Chief Hilk stated they are currently engaging with a kennel in West Virginia and a trainer in Charleroi. They can commence immediately if provided authorization. Chief Hilk stated it will cost between \$10,000 and \$12,000.

Mr. Burns moved to authorize the Police Chief to pursue a New K-9 Unit not to exceed \$12,000. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

9A: Preapplication Meeting with Menard, Inc. regarding a proposed Commercial Retail Building along Old Mill Boulevard in the C-2 Zoning District

Mr. Stanick reported, on December 22, 2021 the Township received preliminary plans from Menard, Inc. (d/b/a/ Menards) for a proposed Commercial Retail Building (“Development”) along Old Mill Blvd., further identified as Parcel Nos. 600-003-00-00-0020-11, 600-003-00-00-0020-09 and 600-003-00-00-0020-10 (“Property”) in the C-2 Commercial Zoning District (close proximity to Berry Road entrance).

The Property is approximately 45 acres in size and located on the northwest side of the Old Mill Shopping Center. Recall, in 2016 the Board of Supervisors approved a proposed Land Development for a senior living apartment complex at this location; however, this is no longer active. The Applicant proposes to construct and operate a Menards home improvement store on the Property. Specifically, it would consist of a big box retail facility, a garden/shipping center and a detached drive-thru lumber yard. A parking area with 437 total stalls will also be constructed with associated lighting and additional stormwater facilities, as well as the realignment of Old Mill Boulevard.

Mr. Nicholas Brenner, representative of the Applicant, appearing over Zoom, stated the Property is the third site they are considering in Western Pennsylvania as they look to enter the market. He stated the Development requires approximately 20 acres and there is a significant challenge with the topography of the Property. He stated the engineering is almost completed and they are very close to receiving approval of their wetlands plan. Mr. Brenner stated they are hoping to submit a formal application for Land Development in the next 3-6 months.

Chair Weber asked Mr. Brenner to provide more detail on what Menards is and what they offer. Mr. Brenner stated they are mainly involved in selling home improvement products. He stated Lowes and Home Depot are primary competitors, but they have additional offerings. He stated their outdoor lumber yard is a unique aspect of the operation. A discussion ensued on their operations and the preapplication meeting concluded.

9B: Motion Approving an Agreement with Meadows Landing Associates, LP for its Contribution to the Manifold Forcemain Project

Mr. Murphy moved to table the matter. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

9C: Motion Approving an Agreement with PA Finance II, LLC for its Contribution to the Manifold Forcemain Project

Mr. Luketich moved to table the matter. Mr. Murphy seconded the motion. The motion passed on a unanimous voice vote.

9D-I: Motion Approving an Easement Agreement with Pennsylvania Trolley Museum; Motion Approving an Easement Agreement with Gregory J. Dunn and Peggy A. Dunn; Motion Approving an Easement Agreement with J&R Golf Partners LP; Motion Approving an Easement Agreement with Eighty Four Outdoor, LLC; Motion Approving an Easement Agreement with Meadow Lands Industrial, LLC; Motion Approving an Easement Agreement with TFORCE Freight, Inc.

Mr. Stanick reported, following the termination of the SSTSA, it was discovered no progress had been made on obtaining any easements from private property owners along the path of the

Manifold Forcemain Project. Although itemized on the agenda, presented for the Board's consideration as one motion are easement agreements related to the Manifold Forcemain Project. The agreements are with: Pennsylvania Trolley Museum; Gregory J. Dunn and Peggy A. Dunn; J&R Golf Partners LP; Eighty Four Outdoors, LLC; Meadow Lands Industrial, LLC; and TFORCE Freight, Inc.

The agreements consist of temporary construction easements and permanent easements that will facilitate the installation of the sanitary sewer lines. The agreements, along with the Right of Way Plats have been sent to the private property owners.

Mr. Creagh stated there is a 20-foot permanent easement for the Manifold Forcemain and the agreements are for an additional 10 feet of width on both sides temporarily for construction.

Mr. Burns moved to approve the easement agreements with Pennsylvania Trolley Museum; Gregory J. Dunn and Peggy A. Dunn; J&R Golf Partners LP; Eighty Four Outdoor, LLC; Meadow Lands Industrial, LLC; and TFORCE Freight, Inc. Mr. Luketich seconded the motion.

Ms. Nancy Zipko, resident on Berry Road, asked for clarification on what a forcemain is. Mr. Creagh stated it is any pipe under pressure that carries sewage from pump station to pump station.

Ms. Steggles asked where the sewage is coming from which travels through this forcemain. Mr. Stanick stated it is any property in the Manifold Sewershed. He added no properties on Floral Hill Drive are a part of this Sewershed. Mr. Creagh provided more detail on the area served by the Forcemain.

The motion passed on a unanimous voice vote.

9K: Motion to Appoint McCall, Scanlon & Tice, LLC Certified Public Accountants to Conduct the 2021 Fiscal Year Audit for the Township's Sanitary Sewer Enterprise Fund

Mr. Stanick presented for the Board's consideration a motion appointing McCall, Scanlon and Tice, LLC ("CPA") to conduct the 2021 Fiscal Year Audit of the former SSTSA. Ms. Kathy Houston, formerly of Houston and Associates, LLC, has conducted previous audits of the former SSTSA's finances. As such, it is recommended the Township engage Ms. Houston under the CPA firm to close out the final audit of the SSTSA for an amount not to exceed \$8,900 as proposed. The expense for this audit will be covered by the Sanitary Sewer Fund and not the Township's General Fund.

Mr. Burns moved to appoint McCall, Scanlon & Tice, LLC Certified Public Accountants to conduct the 2021 Fiscal Year Audit for the Township's Sanitary Sewer Fund for an amount not to exceed \$8,900. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

9L: Motion Authorizing Staff to Prepare and Ordinance Prohibiting Parking in Cul-de-sacs

Mr. Stanick reported a motion to authorize Staff to prepare an ordinance prohibiting parking in cul-de-sacs at the request of Chair Weber and Mr. Murphy is presented to the Board.

A review of the Township Code reveals there are no restrictions on parking vehicles in cul-de-sacs. The radius of a cul-de-sac is prescribed with consideration to the safe maneuvering of emergency vehicles, including but not limited to fire trucks, ambulances and snowplow trucks. When a vehicle parks in a cul-de-sac, this radius shrinks and impedes these emergency vehicles and could therefore create a safety hazard to Township residents.

Mr. Murphy moved to authorize staff to prepare an ordinance prohibiting parking in cul-de-sacs for the Board's consideration. Mr. Luketich seconded the motion.

Mr. Murphy stated cul-de-sacs are for vehicles in motion to safely turn around, not for parking. Mr. Stanick noted it is very common for municipalities to prohibit cul-de-sac parking.

The motion passed on a unanimous voice vote.

10. ADJOURNMENT

Mr. Luketich moved to adjourn. Mr. Grego seconded the motion. The motion passed on a unanimous voice vote. The meeting adjourned at 8:13 p.m.

Respectfully submitted,

Brandon J. Stanick
Township Manager