

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

DECEMBER 11, 2018

APPROVED MEETING MINUTES

1. CALL TO ORDER

The December 11, 2018 Regular Meeting of the South Strabane Township Board of Supervisors (Board) came to order at 7:00 p.m. in the Mae C. Reynolds Meeting Room of the Municipal Building (550 Washington Road).

The following were present:

Board of Supervisors	Bob Weber, Chairman; Thomas Moore, Vice Chairman; Bracken Burns; Richard Luketich; and Laynee Zipko.
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Also Present	Township Manager Brandon Stanick; Township Solicitor Dennis Makel; Township Engineer Michael Sherrieb; and Fire Chief Scott Reese.
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A list of 7 visitors is on file at the Municipal Building.

2. PLEDGE OF ALLEGIANCE

Chair Weber led the Pledge of Allegiance.

Chair Weber stated the Board met in Executive Session this evening prior to the meeting for the purpose of discussing ongoing litigation and personnel matters.

3. PUBLIC COMMENT

Chair Weber stated 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 is asked to limit their comments to a maximum of three (3) minutes.

Mr. Tom Lonich (resident on Davis School Rd.) expressed his disagreement with budgeting funds to conduct a planning study of the Washington Mall property. He stated this is private property and the owner may choose to do with their property as they desire pursuant to the regulations of the Zoning Code. He inquired how the Township can do this without contacting the property owner.

Ms. Charlene Scuvotti (resident on Pine Valley Rd.) expressed her concern that the property owner of 79 Pine Valley Rd. is not reporting all the tenants living at this location. There are more than two people living at this house. In addition, she also remarked there is a sheet of ice on Pine Valley

Rd. because of the water running in the creek along the road. She asked that the water be diverted from the roadway.

Ms. Janie Deemer (resident on Zediker Station Rd.) commented on the number of vehicles parked at the former Road Shed property by CW Wright Construction. She stated the Township should be able to get more money for the use of this property. Also, Ms. Deemer stated a bumper and a television were dumped along her road and noted a mattress was dumped at the end of Mitchell Rd. She remarked she did not know who to contact regarding these items.

4. CONSIDERATION OF MEETING MINUTES – NOVEMBER 27, 2018

Mr. Burns moved to approve the November 27, 2018 Board of Supervisors Meeting Minutes as presented. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

5. FINANCIAL BUSINESS

The Board considered the following financial business:

- Payroll: \$ 107,807.98 (pay date of December 7, 2018)
- General Fund: \$ 155,767.60
- Liquid Fuels: \$ 188.56
- **Total Expenditure:** \$ **263,764.14**

- Overtime costs for the period include:
 - Police: \$ 14,465.41
 - Fire: \$ 2,120.50
 - Public Works \$ 1,613.45
 - **Total OT:** \$ **18,199.36** (pay date of December 7, 2018)

Ms. Zipko moved to approve the payroll for the period November 18 through December 1, 2018 and bills for the period November 20 through December 7, 2018. Mr. Moore seconded the motion. The motion passed on a unanimous voice vote.

6. ANNOUNCEMENTS

Township Manager Stanick announced the Municipal Building will be closed on December 25 and 26, 2018 in observance of the Christmas Holiday.

7. TOWNSHIP REPORTS

Township Solicitor's Report

The Township Solicitor reported the Township and the Public Works Union have reach a tentative agreement.

Township Manager's Report

The Township Manager had nothing to report.

Secretary/Treasurer's Report

The following items have been received or issued between November 20 and December 7, 2018:

Minutes and Agendas:

- a) Planning Commission Regular Meeting Agenda – December 6, 2018.

Reports and Publications:

- a) Fire Department Monthly Report – November 2018;
- b) Public Safety Department Report – November 2018;
- c) Tax Collector's Monthly Report – November 2018;
- d) Tax Collector's Monthly Report Interim Collection Only – November 2018;
- e) Animal Control Officer's Monthly Report – November 2018; and
- f) Letter (*w/o attachment*) dated November 21, 2018 from Diana Janflone, Business Manager, transmitting the 3rd Quarter Financial Statements for WEWJA;
- g) Legal Notice – December 3rd, O-R – Residential Recycling Collection Bid Advertisement; and
- h) Legal Notice – December 10th, O-R – 12/20 Board Special Meeting and 1/7 Organization Meeting.

Correspondence:

- a) *Letter (w/ attachments) dated November 20, 2018 from Polestar regarding its intent to apply for a permit to drill the proposed Three Musketeers Well in North Bethlehem Township;*
- b) *Letter (w/ attachments) dated November 27, 2018 from Range Resources regarding its intent to apply for a permit to drill the proposed Pawlosky Anthony 12123 1H-6H Well in Chartiers Township;*
- c) *Letter (w/ attachments) dated November 29, 2018 from EQT regarding its intent to apply for a permit to drill the proposed Big Daddy Shaw Well in Somerset Township; and*
- d) *Letter (w/ attachments) dated December 6, 2018 from EQT regarding its intent to apply for a permit to drill the proposed Master Splinter Well in Somerset Township.*

8. UNFINISHED BUSINESS

8A Ordinance Amending Chapter 245 of the Township Zoning Code Regarding the Purpose of the C-3 District and Eliminating Light Manufacturing as an Authorized Conditional Use in the C-3 District (Tabled)

Mr. Weber advised this item will remain on the table.

8B Ordinance Establishing an Intergovernmental Agreement with the City of Washington for a Connection from Washington Park to Clare Drive for Emergency Purposes (Tabled)

Mr. Weber advised this item will remain on the table.

8C Motion to Appoint the Position of Assistant to the Township Manager

Mr. Burns moved to appoint Patrick Conners as the Asst. to the Township Manager at a starting salary of \$55,000 upon the completion of a satisfactory background check and drug test with a start date that is mutually acceptable to the Township Manager and Mr. Conners. Mr. Moore seconded the motion. The motion passed on a unanimous voice vote.

9. NEW BUSINESS

9A Public Hearing to Consider a Conditional Use Application from NIP Automotive Group, LLC to Allow a Vehicle Sales Establishment Located at 990 Washington Road in the C-2 District

Township Manager Stanick reported the Township is in receipt of a Conditional Use Application from VIP Automotive Group, LLC (Applicant) for a vehicle sales establishment located at 990 Washington Road (Property). According to the Applicant, the Property will be used as a vehicle sales lot for the sale of high-end automobiles. The Property is located in the C-2 Zoning District and is approximately 0.55 acre in size.

Pursuant to Section 245-163A of the Zoning Code, the minimum lot size of a vehicle sales lot is 2 acres. As the Property is 0.55 acre in size, the Applicant submitted an application to the Zoning Hearing Board (ZHB) seeking a variance. At its meeting on October 15, 2018, the ZHB held a public hearing to consider the Applicant's request and unanimously approved a variance from Section 245-163A to allow a pre-owned vehicle sales establishment at the Property with the following conditions:

- a) There shall be no servicing/repair of motor vehicles other than normal and routine cleaning and detailing;
- b) The existing parking and right-of-way areas of the property shall not be expanded;
- c) There shall be no parking of vehicles in driveways or rights-of-way;
- d) The number of vehicles parked in the front adjacent to Rt. 19 shall be limited to 10 at any one time;
- e) The Applicant shall install a buffer area on the north easterly area to delineate from the neighboring property; and
- f) The Applicant shall adhere to all requirements regarding signage and lighting.

In addition, he reported that at a public hearing on December 6th, the Planning Commission unanimously recommended the Board of Supervisors approve the request for a Conditional Use subject to the approval of the ZHB with the condition that the "buffer" required for the delineation of the property not be interpreted as a buffer yard pursuant to the Zoning Code.

Township Manager Stanick also reported a legal notice was published in the Observer-Reporter on November 27th and December 4th pursuant to State law advertising the public hearing scheduled

for December 11th. Additionally, notices were mailed to owners of property within 300 feet of the subject property. The Applicant, represented by Randall and Cynthia Morse, will be in attendance to address questions from the Board.

Stenographer Sheila Roznac administered the oath to those in attendance wishing to speak.

Mr. Randall and Cynthia Morse were in attendance representing the Applicant.

In response to questions from Township Solicitor Makel, Mr. Morse stated the conditional use permit is being requested to allow the operation of a used vehicle sales establishment at 990 Washington Rd. This business is a boutique operation and will sell vehicles that are more difficult to obtain at a typical dealership. He also stated his company has Department of Motor Vehicles approval for sales in Pennsylvania, Virginia and Florida.

Following Township Solicitor Makel's summary of the exhibits, Mr. Burns moved to introduce the following as exhibits for the record:

Exhibit A: Conditional Use Application

Exhibit B: Zoning Hearing Board Application

Exhibit C: Findings of Fact from the Zoning Hearing Board

Exhibit D: Public Notice of this evening's meeting.

In response to Solicitor Makel's inquiries as to their understanding of the Zoning Hearing Board's Findings of Fact, Mr. and Mrs. Morse agreed they will comply with the conditions and all ordinances and regulations of the Township.

There were no questions from the Board.

There were no questions from members of the public.

A discussion regarding the buffer area ensued. Township Engineer Sherrieb reported that the buffer area for the property is not the buffer area as defined by the Zoning Code. Mr. Morse expressed his understanding of the Zoning Hearing Board's intent is to have him plant four to five shrubs along the property line adjoining the northerly neighbor.

Mr. Burns moved to close the Public Hearing. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

Mr. Burns moved to grant a conditional use permit to Morse Real Estate/VIP Automotive, LLC with the following conditions: a) There shall be no servicing/repair of motor vehicles other than normal and routine cleaning and detailing; b) The existing parking and right-of-way areas of the property shall not be expanded; c) There shall be no parking of vehicles in driveways or rights-of-way; d) The number of vehicles parked in the front adjacent to Rt. 19 shall be limited to 10 at any

one time; e) The Applicant shall install a buffer area on the north easterly area to delineate from the neighboring property to the satisfaction of the Township Manager; f) The Applicant shall adhere to all requirements regarding signage and lighting; ii) the buffer area and landscaping is installed to the satisfaction of the Township Manager; g) the Applicant abides by all rules and ordinances of the Township; the Applicant shall pay all fees as required; this conditional use shall incorporate the transcript and Exhibits A through D. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

9B Motion to Approve the 2019 Final Annual Budget

Township Manager Stanick reported this final budget (Budget), in the amount of \$5,659,329.00 plus \$811,196.66 in inter-fund transfers for the General Fund and \$484,000 for the Liquid Fuels Fund is being presented for the Board's acceptance for the calendar year commencing January 1, 2019 and ending December 31, 2019. The Budget has been prepared without increasing taxes, issuance of short-term debt or additional long-term debt service.

Projected tax revenue for 2019 is in the amount of \$4,214,940, a decrease of 4.7% than what is estimated for 2018. Total non-tax revenue for 2019 is projected at \$2,255,585.66, a decrease of 6% of the amount estimated for 2018. The Township remains fiscally conservative in planning for 2019 as the decrease in 2019 from what is anticipated in 2018 is due to an increase in Earned Income Tax revenues, as well as one-time revenue sources of building permits and plan review. These sources have generated more than what was projected for 2018, as well as budgeted for 2019. Typically, these non-tax revenue sources are not sustainable at current levels as they are not controlled by the Township outside of significant increases to the fee schedule. The changes to the Comprehensive Fee Schedule include adjustment to the pavilion rental fee for Driscoll Park, establishing a rental fee structure for non-resident users, and establishing fees for the use of the Township's ballfields and multi-purpose field by organized groups.

Additionally, he reported that total General Fund expenditures for 2019 are in the amount of \$6,470,525.66 and 12.6% greater than the previous year. The Budget provides for the hire of two full-time police officers to return the department to full staffing levels, hiring an Asst. to the Manager to oversee land use planning and zoning, communication, park and recreation and special projects at a professional level, as well as the hiring of one firefighter following the reorganization of the department to allow for a full-time Code Enforcement Officer. General Fund capital expenditures and capital investment are in the amount of \$480,712, some of which includes the leasing of two 2020 SUV Police Interceptors, leasing of a 2019 International Truck, the Phase 5 Community Park Project (depending on grant awards) and a planning study for the Washington Mall property. Additionally, pension costs will increase in 2019 by 44% causing the Township's funding levels to decrease and require action to remedy the unfunded liability. The Township is in the beginning stages of formulating a three to five-year plan that will seek to achieve at least a 90% funding ratio.

Following the Board's approval of the Tentative Budget on November 13th, a legal notice was published in the November 16th edition of the Observer-Reporter advising the Budget is available for public inspection for at least 20 days prior to the Board's adoption of the Final Budget.

Ms. Zipko moved to approved the 2019 Final Budget. Mr. Moore seconded the motion. The motion passed on a unanimous voice vote.

9C Resolution Amending the Comprehensive Fee Schedule

Township Manager Stanick reported that as part of the budget development process, the Board of Supervisors reviewed the proposed changes to the Comprehensive Fee Schedule (Schedule) for 2019. The Schedule covers fees for services involving all components of the Township, some of which include: zoning and land use, building, construction, fire inspection, park user fees and copies. The proposed Schedule, identified as Exhibit A in the attached resolution, was compiled following the direction received from the Board and includes changes to: i) the park pavilions rental fees for Driscoll Park and the new pavilion at Community Park; ii) the establishment of a non-resident rate for park pavilion rentals; and iii) the establishment of athletic field user fees for organized groups.

Mr. Burns moved to approve the resolution. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

9D Resolution Approving a Holding Tank Agreement with John Hopper for the Property Located at 1885A E. Beau St.

Township Manager Stanick reported that on November 13, 2018 the Washington Co. Sewage Counsel received a dye test application from Mr. John Hopper for the on-lot septic system at 1885A E. Beau St. On November 27th the system was tested and the absorption field failed necessitating a different area of the property to serve as an absorption field. However, a retest of the system cannot be conducted at this time due to the saturation of the soil and inclement weather conditions. As no other solution exists at this time, Mr. Hopper has committed to converting the existing septic tank to a holding tank as a temporary solution to provide an on-lot sewage system.

After polling the Board, a Residential Holding Tank Agreement was executed on December 4, 2018 before its formal consideration allowing the sale of the property to Mr. Hopper's daughter. Presented for the Board's consideration is the executed agreement. It is important to know that \$15,000 is being held in escrow by the closing agent.

In response to a question from Mr. Luketich, Township Manager stated Mr. Hopper must apply for the necessary soil testing and holding tank permits by no later than April 15th and construct and install the appropriate sewer system no later than October 1, 2019.

Mr. Burns moved to approve the agreement. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

9E Motion to Approve a Contract with Animal Control Services for Deceased Animal Removal Services

Township Manager Stanick reported that from time to time the Township receives calls from residents requesting for the collection and disposal of deceased animals along Township rights-of-way; those animals located along state roads are collected and disposed of by PennDOT. Most calls pertain to deer that have been struck by a motor vehicle, which presents both safety and health hazards. As the Board may recall, the animal control budget for 2019 was increased by \$1,000 to offer deceased animal collection and disposal services. A contract with Animal Control Services, LLC, the Township's current contractor for animal control (abandoned/rescue/barking dogs, etc.) is presented for the Board's consideration in the amount of \$65.00 per deer and \$35.00 per small game animals.

Ms. Zipko moved to approve the contract. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

9F Resolution Dedicating Available Community Development Block Grant Funding to Accessibility Improvements to the Municipal Building

Township Manager Stanick reported that in a letter dated September 17, 2018, the Redevelopment Authority of Washington County (RAWC) advised that the Township is eligible for Community Development Block Grant (CDBG) funds in 2019 in the amount of \$71,400. Federal CDBG funding is administered by the RAWC every four years and may be used for a variety of items, some of which include: street and sidewalk improvements, flood and drainage facilities and home rehabilitation. In order to meet a national objective in using these Federal funds, the project must benefit low and moderate income persons, prevent or eliminate slums or blight, or improve accessibility to public facilities.

As the Township is not considered a low to moderate income community overall, funding is not readily available through this program. However, improvements to the Municipal Building addressing accessibility would qualify and are needed. As such, Township Engineer Sherrieb and Public Works Director Grego have surveyed the facility and identified specific areas for improvement (internal doorways, front entrance improvements, improvements to meeting room entrances, etc.). The administration and oversight of the grant will be provided by the RAWC and a resolution dedicating the Township's allocation to this project is presented for the Board's consideration.

Mr. Burns moved to approve the resolution. Ms. Zipko seconded the motion. The motion passed on a unanimous voice vote.

9G Motion to Approve a Memorandum of Understanding with Asst. to the Township Manager Patrick Conners

Township Manager Stanick reported that on November 27, 2018, the Board conditionally appointed Patrick Conners to serve as the new Asst. to the Township Manager beginning December 17th. Currently, pursuant to the Township Employee Manual, employees serve a probationary period of three months upon hire. During this time employees do not receive benefits of any kind. Following a conversation with Mr. Conners regarding the probationary period and the challenge this presents, it is recommended the Board approve the Memorandum of Understanding (prepared by Solicitor Makel) that would provide medical benefits upon his first day of employment.

Mr. Burns moved to approve the memorandum of understanding with Mr. Conners. Mr. Moore seconded the motion. The motion passed on a unanimous voice vote.

10. ADJOURNMENT

Ms. Zipko moved to adjourn the meeting. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote and the meeting adjourned at 7:35 p.m.

Respectfully submitted,

Brandon J. Stanick
Township Manager