

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

**MARCH 26, 2019**

**APPROVED MEETING MINUTES**

**1. CALL TO ORDER**

The March 26, 2019 Special Meeting of the South Strabane Township Board of Supervisors (Board) came to order at 7:05 p.m. in the Mae C. Reynolds Meeting Room of the Municipal Building (550 Washington Road).

The following were present:

Board of Supervisors                Richard Luketich, Chairman; Bob Weber, Vice Chairman; Bracken Burns; Thomas Moore; and Laynee Zipko.

Also Present                            Township Manager Brandon Stanick; Assistant to the Township Manager Patrick Conners; Township Solicitor Dennis Makel; and Chief of Police Drew Hilk

A list of 10 visitors is on file at the Municipal Building.

**2. PLEDGE OF ALLEGIANCE**

Chair Luketich led the Pledge of Allegiance.

Chair Luketich 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 Luketich 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. Mike Kobaki of Fairview Ave. came before the Board to discuss a neighboring property that has an abundance of material onsite including unregistered vehicles, a trailer, and a boat. Mr. Kobaki stated that his property value is being affected by the nuisance property. Mr. Kobaki concluded by discussing the lack of enforcement in the Township. Township Manager Stanick stated the Township had taken the resident to court once before and the case was ultimately dismissed. Township Manager Stanick also reported that the Township Code Enforcement Officer has again cited the resident and will continue to document complaints and monitor the property for any code violations.

Ms. Joyce Pavkovich of Fairview Ave. also came before the Board to discuss the nuisance property highlighting that many vehicles on the property are covered with tarps and do not move. Though the property has been cleaned to a degree, much of the property remains in a nuisance state. She presented photographs of the property for the Board to review.

**4. CONSIDERATION OF MEETING MINUTES – MARCH 6, 2019**

Ms. Zipko moved to approve the March 6, 2019 Board of Supervisors Special Meeting Minutes as presented. Mr. Weber seconded the motion. The motion passed on a unanimous voice vote.

**5. FINANCIAL BUSINESS**

The Board considered the following financial business:

- Payroll: \$ 113,473.88 (pay date of March 1, 2019)
- Payroll: \$ 114,828.75 (pay date of March 15, 2019)
- General Fund: \$ 176,306.45
- Liquid Fuels: \$ 36,907.20
- **Total Expenditure: \$ 441,516.28**
  
- Overtime costs for the period include:
  - Police: \$6,550.78
  - Fire: \$1,721.28
  - Public Works: \$4,337.90
  - **Total OT: \$12,609.96** (pay date of March 1, 2019)
  
- Police: \$5,064.24
- Fire: \$2,714.56
- Public Works: \$5,809.43
- **Total OT: \$13,589.23** (pay date of March 15, 2019)

The following expenses were included for this period:

- Municipal Employees Insurance Trust \$49,079.90
- MRM Workers' Compensation Policy Installment 3 of 4 \$43,284.36

Mr. Moore moved to approve payroll for the Periods February 16 through March 1, 2019 and March 2 through March 15, 2019 and the bills for the period February 23 through March 22, 2019. Mr. Weber seconded the motion. The motion passed on a unanimous voice vote.

**6. ANNOUNCEMENTS**

Township Manager Stanick reported the Planning Commission Agenda Meeting for March 28, 2019 has been re-scheduled and will take place prior the Planning Commission Regular meeting on April 4<sup>th</sup> at 6:30 P.M. Township Manager Stanick also reported that the new website has undergone a soft launch and is fully accessible for interested users. Township Manager Stanick

stated the Township would be advertising the new site through various mediums over the next few months. Township Manager Stanick also reported that the Township was not awarded a Local Government Academy (LGA) Intern highlighting the reduced funding capacity of the Program, as well as an abundance of applicants. Township Manager Stanick concluded by stating the Township budgeted sufficiently to still pursue the hiring of an intern over the summer months without the assistance of LGA.

Township Manager Stanick discussed the upcoming 2020 Census, highlighting the Washington County Planning Commission's request that municipalities form a Complete Count Committee, which would be used to generate awareness of the Census in hopes of increasing the response rate. Township Manager Stanick suggested the Board serve as the Complete Count Committee and work with staff to advertise the importance of participating in the 2020 census.

## **7. TOWNSHIP REPORTS**

Diane Rose and Kathy Pienkowski, representing Citizens Library came before the Board to discuss various programming and services that are provided by the Library. Ms. Pienkowski stated that the Library has undergone several changes to adapt to ever changing educational and workforce conditions. Ms. Rose discussed the idea of bringing more programming to communities that are involved within the network, including South Strabane Township. Ms. Pienkowski discussed the funding structure of the Library and highlighted that an increase in funding will be required if many of the proposed programming and educational resources are to be realized. The Board thanked both for their time and thoughtful presentation.

Cypher and Cypher came before the Board to review the 2018 Audit results and overall process. Mr. Steven Cypher stated that the Township received a planned and unmodified opinion, which is precisely the desired goal of any local government or organization. Mr. Cypher went over the year-end financial statement as of December 31, 2018 highlighting increased revenues, specifically from real estate taxes, Act 13 revenues, and building permit revenues, which created a greater General Fund balance year over year. Mr. Cypher highlighted the lack of a Capital Fund as an area that needs to be addressed in the coming years. Mr. Cypher also discussed goals for the next audit including more detail on payroll documentation. Mr. Cypher concluded by highlighting the positive steps that the Township has taken over the last two years and complimented the role of the Township Staff. The Board of Supervisors thanked Mr. Cypher for the detailed presentation.

### **Secretary/Treasurer's Report**

Township Manager Stanick reported the following items have been received or issued between February 23, 2019 and March 20, 2019:

### **Minutes and Agendas:**

- a) Planning Commission Meeting Minutes – November 1, 2018;
- b) Planning Commission Meeting Minutes – December 6, 2018;
- c) Sanitary Authority Regular Meeting Agenda – March 20, 2019; and
- d) Planning Commission Agenda Meeting Agenda – March 28, 2019 (re-scheduled for April 4, 2019).

**Reports and Publications:**

- a) Finance Report –February 2019;
- b) Fire Department Report – February 2019;
- c) Public Safety Department Report – February 2019;
- d) Tax Collector’s Report – February 2019;
- e) Tax Collector’s Report Interim Collection Only – February 2019;
- f) Animal Control Officer’s Report – February 2019;
- g) PennDOT Press Release: Wolf Admin Announces Increased Liquid Fuels Distribution to Municipalities for Local Road and Bridges;
- h) PSATS News Bulletin – February 2019;
- i) Washington County Conservation District Newsletter, Tomorrow, – February 2019; and
- j) Progress Report – PennDOT District 12 – Volume 2 Issue 2.

**Correspondence:**

- a) *Letter (w/ attachments) dated February 21, 2019 from Polestar regarding Rice Drilling B LLC’s permit application to drill the proposed Brova Well in North Bethlehem Township;*
- b) Letter (w/ attachment) dated February 25, 2019 from PennDOT, Leslie Richards, Secretary of Transportation in regards to the Notice of Payment Turnback Maintenance March 2019;
- c) Letter (w/ attachments) dated February 25, 2019 from PennDOT, Leslie Richards, Secretary of Transportation in regards to the Notice of Payment Liquid Fuels March 2019;
- d) *Letter (w/ attachments) dated March 1, 2019 from EQT regarding its permit application to drill the proposed F. I. Moninger Well in Amwell Township;*
- e) *Letter (w/ attachments) dated March 7, 2019 from EQT regarding its permit application to drill the proposed Cogar Well in Amwell Township;*
- f) Letter (w/o attachments) dated March 11, 2019 from Township Manager to the property owner of 985 E. Beau St. regarding a mandatory sanitary sewer system connection;
- g) Letter (w/o attachments) dated March 11, 2019 from Township Manager to the property owner of 997 E. Beau St. regarding a mandatory sanitary sewer system connection;
- h) Letter (w/ attachments) dated March 13, 2019 from Range Resources regarding the permit renewal for Munce William 10060126H Well in South Strabane Township;
- i) E-mail (w/ attachments) dated March 14, 2019 from Joy Ruff, Exective Director of the Local Government Academy LGA Municipal Intern Program;
- j) Letter (w/ attachment) dated March 18, 2019 from Makel & Associates, LLC to Millcraft Investments concerning damage to an entry column to the Eastpointe neighborhood;
- k) Letter (w/ attachments) dated March 18, 2019 from Washington Co. Planning Commission regarding the 2020 Census Formation of Complete Count Committee; and
- l) Letter (w/o attachments) dated March 19, 2019 from Township Manager soliciting Rental Occupancy 2019 applications from Township landlords.

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

**8. UNFINISHED BUSINESS**

No unfinished business was discussed.

## **9. NEW BUSINESS**

### **9A: Motion Reducing the Letter of Credit for Phase 3 of the Bradford Run Planned Residential Development Along Country Club Road**

Township Manager Stanick stated the Township is in receipt of a request from John Quigley of JMQ Development, representing J. Angelides Enterprises, LP, for a reduction in the Letter of Credit (No. 1245 dated February 5, 2019) in the amount of \$56,350 for the Bradford Run Phase 3 Development. Township Manager Stanick stated pursuant to the Township's Subdivision and Land Development Ordinance, a developer may request reductions in performance securities, e.g. Letter of Credit, for work that has been inspected and properly completed. Township Manager Stanick concluded by highlighting the request before the Board is specifically for the erosion and sediment control work for the site. Mr. Weber inquired if there was a representative in attendance. Mr. Quigley stated that he was present. Township Engineer Sherrieb highlighted that the work was inspected and meets the Township's standards.

Mr. Burns moved to reduce the letter of credit for Phase 3 of the Bradford Run Planned Residential Development as requested. Mr. Weber seconded the motion. The motion passed on a unanimous voice vote.

### **9B: Motion Accepting Bids for the 2019 Public Works Materials**

Township Manager Stanick stated pursuant to Article XXXI of the Second-Class Township Code, Townships are required to advertise bids for the purchase of materials, services and contracts exceeding \$20,600. He also highlighted that bid advertisements for seal coating, limestone, asphalt, rip rap, gasoline and diesel fuel were advertised in the February 15 and February 20, 2019 editions of the Observer-Reporter. Township Manager Stanick reported at 3 p.m. on March 15, 2019 the bids were received, opened publicly and announced in the Municipal Building Meeting Room.

Township Manager Stanick highlighted the lowest acceptable bid for seal coating came from Youngblood Paving at \$1.44/sq. yd. The lowest acceptable bid for diesel fuel came from Kehm Oil Company at \$2.1655/gal delivered according to Township Manager Stanick. He stated because the Township only received one bid for asphalt and one bid for stone, it is recommended the Board of Supervisors reject these bids and authorize the Township Manager to re-bid these materials. He also stated as no acceptable bids were received for gasoline, the Township must rebid the item, and if no bids are received within 45 days of the second advertisement, the Township may purchase or enter into a contract for the purchase of this commodity.

After some discussion, Ms. Zipko moved to accept the bids for in-place seal coating from Youngblood Paving in the amount of \$1.44/sq. yd. and the bid for diesel fuel (delivered) from Kehm Oil Co. in the amount of \$2.1655/gallon. Mr. Weber seconded the motion. The motion passed on a unanimous voice vote.

In addition, Ms. Zipko moved to reject the bids submitted for asphalt and stone and to authorize the Township Manager to again solicit bids for these materials. Mr. Moore seconded the motion. The motion passed on a unanimous voice vote.

**9C: Motion Renewing the Columbia Gas Road Bond Agreement for the Line 1570 Tri-County Pipeline Replacement Project**

Township Manager Stanick reported the Township is in receipt of a request from Columbia Gas Transmission, LLC (Company) to renew its existing bond for 3.33 miles of Township roadway for the Company's continued abandonment of gas lines that are part of the Tri-County Transmission Line Replacement Project (Project). Township Manager Stanick stated the Township's Road Bond Agreement expires in one year (April 3, 2019) and must be renewed as the Project is not finished. Township Manager Stanick highlighted that according to Chapter 220 of the Township Code, an agreement is required with the Township when seeking to use vehicles, equipment and other machinery that exceed local weight limits for roadways or doing work within the right-of-way. This ensures adequate funds are available for the maintenance and repair of the roadways being used according to Township Manager Stanick. He continued by stating the amount of the bond is determined using a formula established by PennDOT (\$12,500 / mile), which results in an amount of \$41,625.

Township Manager Stanick reported during 2017 the Company replaced the gas transmission line along Rt. 19, as well as in the eastern portions of the Township. Township Manager Stanick stated this step is the continued abandonment of the existing pipelines that serve Windsor Highlands, highlighting they are no longer needed as the Company has rerouted its transmission line out of the neighborhood.

Township Manager Stanick concluded by reporting prior to the execution of the attached agreement, the Company will furnish the Township with a \$250 application fee, establish a \$3,000 escrow account (existing), video record the requested roads with the Public Works Director, and provide the bond (received) from Columbia Gas Transmission's surety company in the required amount.

Mr. Moore moved to renew the Columbia Gas Road Bond Agreement for the Line 1570 Tri-County Pipeline Replacement Project. Ms. Zipko seconded the motion. The motion passed on a unanimous voice vote.

**9D: Motion Approving a Request from Harshman CE Group, LLC for the Township to Serve as Applicant for a PADOT Highway Occupancy Permit Along Manifold Road**

Township Manager Stanick reported the Township is in receipt of a request from SMS Group ("Company"), located at 750 Manifold Rd., for the Township to serve as Applicant for a PennDOT Highway Occupancy Permit ("HOP") on the Company's behalf so it may correct several deficiencies with the stormwater system along Manifold Rd. He also reported that because PennDOT does not grant HOPs to private businesses, it does have a process in place for eligible entities such as the Township, to serve as the Applicant that would designate the Company's

consultant, Harshman CE Group, LLC (“Consultant”), as Agent and authorize it to apply for the HOP on behalf of the Township.

Township Manager Stanick highlighted the purpose of the proposed work is to mitigate flooding of the Company’s property and facility along Manifold Rd. In Township Staff’s discussion with the Company and Consultant, they are proposing to locate several stormwater inlets along Manifold Rd. to collect stormwater and drain it to the stream behind the Company’s facilities. Additionally, at the request of Township Staff, the Company has agreed to: i) upgrade the existing culvert line which crosses Manifold Rd. at the intersection with Pine Valley Rd.; and ii) install additional inlets on the opposite side of Manifold Rd. to alleviate drainage issues on existing residential property according to Township Manager Stanick. He also reported that in exchange for this work, the Township would assume ownership of the facilities once they are installed and certified to the Township’s construction standards.

Township Manager Stanick stated that should the Board approve this request, it is recommended the approval be conditioned on the Company entering into an agreement (similar to a Development Agreement) with the Township (approved by the Board at a later time) that will require: i) guarantees and sureties for the completion of the work, ii) a maintenance bond to cover construction deficiencies; and iii) the establishment of an escrow account to cover the Township’s costs associated with this request, and indemnification clause protecting the Township, and a developer’s agreement to the satisfaction of the Board of Supervisors.

Project Engineer Ms. Jessica Barringer discussed the logistics of the plan, highlighting that SMS Group would be paying out of pocket to install a larger pipe and additional inlets with the goal of reducing the standing water along Manifold Road that frequently appears after rain events. Ms. Barringer explained that the Township must apply on behalf of SMS Group because the project falls within a PennDOT right-of-way.

Ms. Zipko voiced her concern regarding the additional stormwater that will eventually be discharged into local tributaries, highlighting that this project may solve one flooding problem just to create another problem further downstream. Township Engineer Sherrieb reported that the water captured and diverted through the infrastructure upgrade would have no impact on the 100-year floodplain. Mr. Burns inquired whether dredging the creek bed could reduce erosion and the potential for flooding. Ms. Barringer stated the practice of dredging waterways has been discouraged in recent years. Mr. Makel highlighted that the Township will develop an indemnification clause to protect itself against any future damage that may be caused by additional stormwater discharge.

After further discussion, Mr. Burns moved to approve the request of Harshman CE Group, LLC for the Township to serve as an Applicant for a PennDOT Highway Occupancy Permit for work along Manifold Road conditioned on the Company entering into an agreement (similar to a Development Agreement) with the Township that will require: i) guarantees and sureties for the completion of the work, ii) a maintenance bond to cover construction deficiencies; iii) the

establishment of an escrow account to cover the Township's costs associated with this request; iv) the creation of an indemnification clause protecting the Township; and v) the creation of a developer's agreement satisfactory to the Board of Supervisors. The motion passed on a 4-1 vote with Ms. Zipko voting no.

**9E: Motion Authorizing the Leasing of two 2020 Ford Interceptor Utility AWD Police Vehicles**

Township Manager Stanick reported pursuant to the 2019 Annual Budget, \$27,330 has been budgeted for the purpose of leasing two new 2020 Ford Police Interceptor Utility AWD vehicles. Township Manager Stanick stated Woltz & Wind Ford, Inc. has been awarded the SHACOG bid and the term of the lease will be three years at an annual percentage rate of 5.75%. Township Manager Stanick concluded by stating authorization by the Board is requested so that Staff may submit a purchase order so the dealer can order these vehicles for production starting in May of 2019.

Mr. Burns moved to authorize the leasing of two 2020 Ford Interceptor Utility AWD Police Vehicles. Mr. Weber seconded the motion. The motion was unanimously carried.

**9F: Resolution Expressing Support for Retaining the Countywide System for Earned Income Tax Collection as Provided for Under Act 32 of 2008**

Township Manager Stanick reported pursuant to House Resolution No. 291 of 2017, the PA State Department of Revenue ("Department") was directed to commence a study to investigate the feasibility and potential cost savings associated with the replacement of Earned Income Tax collection methods by local taxing committees with a statewide collection method overseen by the Department. Township Manager Stanick stated earlier this year, the Washington County Tax Collection District Executive Committee ("Committee") took the unanimous position that statewide collection of the Earned Income Tax is not in the interest of Washington County municipalities or school districts. Township Manager Stanick reported the governing body of each member is being asked to adopt a formal resolution expressing support for retaining the current Earned Income Tax collection system.

Mr. Weber inquired regarding the benefit of consolidating tax collection at the state level. Township Manager Stanick stated that the municipalities and school districts have spent considerable time and devoted resources to develop the current collection system which works well. Township Manager Stanick expressed his concern with the efficiency of a state organized collection system with timely and accurate distributions to members, as well as the customer service component of a localized collection system.

After further discussion, Mr. Moore moved to approve a resolution expressing support for retaining the countywide system for earned income tax collection as provided for Under Act 32 of 2008. Ms. Zipko seconded the motion. The motion was unanimously carried.



**9G: Motion Authorizing the Planning Commission to Review Subdivision and Land Development Regulations Relating to Slope and Landscape Requirements**

Township Manager Stanick reported Ms. Zipko had requested that the Planning Commission review the Township's subdivision and land development regulations relating to slope and landscape requirements. Township Manager Stanick highlighted that should this action be a desire of the Board it is recommended the Board pass a motion authorizing this action.

Mr. Luketich stated the Planning Commission should continue to review the Township's Code concerning steep slope standards. Mr. Luketich highlighted the property damage that North Strabane Township has experienced due to unstable terrain on and near steep slope areas. Ms. Zipko expressed her concern regarding the increased emissions caused by the rapid expansion of planned residential developments. Ms. Zipko stated the Township needs to institute regulations requiring more greenspace and trees to help offset emissions. Mr. Luketich recommended adding open space to the Planning Commission's review.

After some further discussion, Ms. Zipko moved to authorize the Planning Commission to review subdivision and land development regulations relating to steep slope, landscape, and open space requirements. Mr. Moore seconded the motion. The motion passed on a unanimous voice vote.

**9H: Motion Approving an Agreement for Cleaning Services for Municipal Facilities**

Township Manager Stanick recommended tabling this matter until further research is conducted.

Mr. Moore moved to table the Board's consideration of an agreement for cleaning services for municipal facilities. Mr. Weber seconded the motion. The motion was unanimously carried.

**9I: Motion Approving the DCED's Articles of Agreement for Peer-to-Peer Technical Assistance and Scope of Services for a Fire Services Study**

Township Manager Stanick stated on March 22, 2019, the Fire Services Study Committee (Mr. Luketich and Mr. Burns), Fire Chief Reese, as well as himself, attended a teleconference with representatives of the DCED and study participants (comprised of SST and volunteers, Washington, N. Franklin and volunteers, Chartiers and volunteers, Canton and volunteers) to kick-off this endeavor. Township Manager Stanick reported during the meeting, the DCED asked participants to approve an agreement and scope of services prior to beginning the study.

Township Manager Stanick highlighted the documents provided to the Board were received on March 22<sup>nd</sup> and it is recommended the Board approve the agreement.

After some discussion, Mr. Burns moved to approve the DCED's Articles of Agreement for Peer-to-Peer Technical Assistance and Scope of Services for a Fire Services Study. Ms. Zipko seconded the motion. The motion was unanimously carried.

**9J: Motion Approving a Professional Services Agreement for Professional Engineering Services for Landslide Investigation of Garber Road**

Township Manager Stanick presented for the Board's consideration a professional engineering service agreement with Ackenheil Engineers, Inc. to perform a landslide investigation of the Garber Road slide in the amount of \$9,500. The proposal outlines the site work, services and final report detailing recommendations for remediation of the slide and cost estimates. Township Engineer Sherrieb stated that he had met with Ackenheil Engineering to strategically plan for the landslide investigation. Township Engineer Sherrieb highlighted that two borings will be drilled in order to find the appropriate depth for the repair. Township Engineer Sherrieb stated after the borings are drilled and the soil samples are tested, a final report will be provided to the Township outlining the cost estimate for the overall project.

After some discussion, Mr. Weber moved to approve a professional services agreement with Ackenheil Engineers, Inc. in the amount of \$9,500. Ms. Zipko seconded the motion. The motion passed on a unanimous voice vote.

**Additional Public Comment**

Mr. Paul Boardley of 1303 East Maiden Street came before the Board seeking advice concerning a neighboring property that is installing loose gravel landscaping along an adjacent hillside. Mr. Boardley stated that the landscaping will be installed with a non-permeable plastic liner. Mr. Boardley's primary concern dealt with excess stormwater running off of the hillside, causing intermittent freezing on his property during the winter months. Mr. Boardley inquired regarding ordinances that could protect his property against negligent landscaping. Mr. Burns discussed various permeable bases that would allow stormwater to penetrate the landscaping. Township Manager Stanick stated the Township would conduct further research into this matter.

**10. ADJOURNMENT**

Mr. Weber moved to adjourn the meeting. Mr. Moore seconded the motion. The motion passed on a unanimous voice vote and the meeting adjourned at 8:50 p.m.

Respectfully submitted,

Brandon J. Stanick  
Township Manager