

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

September 24, 2019

APPROVED MEETING MINUTES

1. CALL TO ORDER

The September 24, 2019 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 Richard Luketich, Chairman; Bob Weber, Vice Chairman; Bracken Burns; Thomas Moore; and Laynee Zipko.

Also Present Township Manager Brandon Stanick; Township Solicitor Dennis Makel; Township Solicitor Megan Patrick; Police Chief Drew Hilk; Fire Chief Scott Reese, Public Safety Officer Jim Barnes, Township Engineer Mike Sherrieb, and Assistant to the Township Manager Patrick Conners

A list of 23 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. Bill Pollock of Pollock Road in Somerset Township came before the Board expressing his support for the expansion of natural gas extraction within South Strabane Township. He highlighted that oil and gas industries are restricted to the I-1 & I-2 zoning districts. Mr. Pollock continued by outlining his experience on Somerset Township's Planning Commission and cited the Act 13 revenue generated by Somerset Township. Mr. Pollock concluded that with revised regulations the Township would experience a windfall of Act 13 revenues and would create many jobs in the extraction industry as well as related service industries.

Ms. Fern Sibert came before the Board to highlight the non-profit organization Clean Up Our County Inc. She stated the goal of the organization is to remove litter that is scattered along roadways throughout Washington County. She reported the organization typically conducts cleanup operations on Saturday mornings. She highlighted a perceived increase in litter and trash along roadways in recent years, explaining that in her opinion the increase emanates from the energy extraction industries and their associated partners. Ms. Sibert distributed business cards and literature promoting the organization and its efforts to the Board and to those in attendance.

Mr. Jeff Savoski, owner of a business on Beagle Club Road, voiced his support for the expansion of natural gas extraction in South Strabane Township. Mr. Savoski discussed numerous benefits of the industry including job creation and increased municipal revenue. He concluded by stating that there are no logistical alternatives to oil and gas, therefore South Strabane should expand its production.

4. **CONSIDERATION OF MEETING MINUTES – AUGUST 13 & AUGUST 27, 2019**

Mr. Moore moved to approve the August 13, & August 27, 2019 Board of Supervisors Regular Meeting Minutes as presented. Ms. Zipko seconded the motion. The motion passed on a unanimous voice vote.

5. **FINANCIAL BUSINESS**

The Board considered the following financial business:

- Payroll: \$ 115,060.19 (pay date of July 19, 2019)
- Payroll: \$ 113,084.02 (pay date of August 2, 2019)
- Payroll: \$ 118,144.00 (pay date of August 16, 2019)
- General Fund: \$ 179,273.67
- Liquid Fuels Fund: \$ 6,951.08
- **Total Expenditure:** \$ **532,512.96**

Overtime costs for the period include:

- Police: \$ 10,246.92
- Fire: \$ 1,942.50
- Public Works \$ 537.80
- **Total OT:** \$ **12,727.22** (pay date of July 19, 2019)

- Police: \$ 4,878.71
- Fire: \$ 2,331.86
- Public Works \$ 641.55
- **Total OT:** \$ **7,852.12** (pay date of August 2, 2019)

- Police: \$ 7,897.29
- Fire: \$ 2,573.53

- Public Works \$ 751.11
- **Total OT:** \$ 11,221.93 (pay date of August 16, 2019)

Please know the following expenses are included for this period:

- Municipal Employees Insurance Trust \$56,733.72
- PW/PD General Obligation Bond Semi-Annual Interest Payment \$48,825.63

Ms. Zipko moved to approve payroll for the periods July 14 through July 27, 2019 and July 28 through August 10, 2019 and August 11 through August 24, 2019 and the bills for the period August 22 through September 18. Mr. Burns seconded the motion. The motion passed on a unanimous voice vote.

6. **ANNOUNCEMENTS**

Township Manager Stanick reported that the Planning Commission would be conducting an Agenda Meeting on September 26th followed by their Regular Meeting on October 3rd to consider a Conditional Use application from Range Resources for a proposed freshwater impoundment facility for the property located at 50 Meadows View Road in the A-1 zoning district. He also highlighted that the Gaudenzia Foundation has applied for a Text Amendment to allow facilities for at-risk mothers as a Conditional Use in the R-1 zoning district. He highlighted the Text Amendment application would be reviewed by the Planning Commission at their November 7th meeting.

7. **TOWNSHIP REPORTS**

Municipal Separate Storm Sewer System (MS4) Report

Township Manager Stanick noted 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 (3) minutes.

There were no comments received.

Township Manager's Report

Annual Municipal Separate Storm Sewer System (MS4) Report

Ms. Sarah Boyce of Widmer Engineering came before the Board to provide an update regarding the various stormwater projects accomplished by the Township over the last twelve months. Ms. Boyce highlighted the Township's Notice of Termination (NOT) was submitted to the Pennsylvania Department of Environmental Protection (PADEP) for the outgoing MS4 permit and stated that the Township has applied for a supplemental five-year MS4 permit. She briefly discussed the six Minimum Control Measures (MCMs) that encompass the Township's MS4 Program. She also reported that she had worked with Public Works Director Grego to complete the storm sewer street mapping project. Ms. Boyce continued by discussing the Township's Pollution Reduction Plan (PRP) highlighting the Manifold Road streambank and floodplain restoration project. She stated the project would involve streambank restoration which is paramount in reducing sediment loads within water systems. Township Manager Stanick highlighted that the MS4 Program and associated requirements are unfunded

mandates from the DEP. He reported that with the assistance of the Township Engineer, Staff would identify potential funding sources to assist in the implementation of the PRPs. Mr. Weber inquired how the Township's streams are rated. Ms. Boyce stated that the Township's streams could be considered to have medium contamination levels based on available data. The Board thanked Ms. Boyce for her report.

Security Cameras at Former Public Works Site

Township Manager Stanick reported that Staff has applied for the installation of cameras through the Keep Pennsylvania Beautiful's Illegal Dump Free PA Program to assist in controlling illegal dumping that occurs from time to time at the former Public Works property. He stated that on September 20th, Assistant to the Manager Connors met with a representative of the Program to review proposed camera locations. He highlighted that if selected, the Township will receive a surveillance kit that includes three concealable, lockable cameras and accessories that capture usable, conviction-worthy footage of license plates. He stated that at the conclusion of the trial period (typically three months) the Township will be offered to buy the used cameras for a price to be determined. He concluded by stating the Program is funded through the PADEP with the overall goal to help local government and local law enforcement curb illegal dumping by exposing those who commit the crime.

Floral Hill/Zediker Station Road Stop Sign Request

Township Manager Stanick reported that at its meeting in July, the Board received a concern from a resident concerning the installation of additional stop signs at the Floral Hill/Zediker Station Road intersection. Chief Hilk stated that after reviewing incident reports spanning a period of twelve-months, and a review of best practices concerning stop sign installation, he does not recommend installing a stop sign at the intersection of Floral Hill and Zediker Station Roads. He highlighted that the proposal did not satisfy the recommended requirements set forth by Federal traffic regulations and would not likely facilitate a safer driving environment.

Solicitor's Report

The Solicitor had nothing to report.

Secretary/Treasurer's Report

The following items have been received or issued between August 24, 2019 and September 20, 2019:

Minutes and Agendas:

- a) Planning Commission Meeting Minutes – August 1, 2019;
- b) Green Team Meeting Minutes – August 15, 2019;
- c) Sanitary Authority Meeting Minutes – August 21, 2019;
- d) Sanitary Authority Agenda – Sept 18, 2019; and
- e) Green Team Meeting Agenda – September 19, 2019.

Reports and Publications:

- a) *Sanitary Authority Audited Financial Statements for Year Ended December 31, 2018;*
- b) Finance Report – August 2019;

- c) Fire Department Report – August 2019;
- d) Volunteer Fire Department Financial Reports – 7/3/19 thru 8/7/19 & 8/8/19 thru 9/4/19;
- e) Public Safety Department Report – August 2019;
- f) Tax Collector’s Report & Interim Collection Only – August 2019;
- g) Animal Control Officer’s Report – August 2019;
- h) MS4 Report – August 2019;
- i) PSATS News Bulletin – September, 2019;
- j) Pittsburgh Post-Gazette, September 3, 2019 – “Moon eyes fee to help pay for storm water management”;
- k) O-R, September 4, 2019 – “South Strabane, Washington residents want dog park”;
- l) O-R, September 7, 2019 – “Hits & Misses regarding request for a dog park”;
- m) O-R, September 7, 2019 – “Presby SeniorCare seeks traffic study, reduced speed on South Main Street”;
- n) O-R, September 9, 2019 – “OP-ED: Shale gas crucial to state’s economy and beyond” (provided by Mr. Luketich);
- o) O-R, September 10, 2019 – Bid Advertisements for CIPP Sewer Lining Project, Community Park Sewer Extension and Cold Storage Steel Building;
- p) O-R, September 11, 2019 – “Washington, Greene Counties Commemorate 9/11 Attacks”; and
- q) O-R, September 12, 2019 – Legal Notice for upcoming Budget and Regular Meetings.

Correspondence:

- a) *Letter (w/attachments) dated August 12, 2019 (received Sept. 3rd) from EQT regarding its notification for Well Permit Renewal Request for the proposed Gallagher Well in Amwell Township;*
- b) Letter (w/o attachment) dated 9/27/19 from WEWJA transmitting the 2Q 2019 Financial Statement;
- c) Letter (w/ attachment) dated August 28, 2019 to Bryan Walker, PennDOT District 12 Rep., requesting a road safety study be performed along S. Main St.;
- d) Letter dated September 6, 2019 from Paul Lauer, Chairman of the Washington Co. Tax Collection Committee, regarding the September 18th Board of Delegates Meeting;
- e) Letters (w/o attachment) dated September 12, 2019 to PA Senator Bartolotta and PA Rep. O’Neal requesting support for the Township’s LSA grant application for the Manifold Rd. Streambank and Floodplain Restoration Project; and
- f) Letter Received September 18, 2019 from Leslie Richards, PA Secretary of Transportation, advising that the Township’s Liquid Fuels allocation for 2020 is \$356,271.63.

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

8. UNFINISHED BUSINESS

There was no unfinished business.

9. NEW BUSINESS

9A: Motion Authorizing the Township to Request PennDOT Conduct a Traffic Impact Study Concerning the Use of Engine Break Retarders on State Route 136 (E. Beau St.)

Township Manager Stanick presented for the Board's consideration a request made of Ms. Kristen Venturino of 140 Wren Way. He highlighted that recently, there have been several calls from residents requesting the Township have signage placed within the right of way of State Route 136 prohibiting engine brake retarders, also known as "Jake Brakes". He continued by stating that select residents have indicated that commercial vehicles who deploy their brake retarders do so due to travelling at an excessive speed. He reported the various safety concerns highlighted by residents including the noise produced by break retarders, are enclosed within the email provided to the Board.

Township Manager Stanick concluded by reporting with State Route 136 being owned and maintained by PennDOT, any requested signage or traffic pattern alterations would need to emanate from a requested traffic study, as was the case for last month's authorization concerning Presbyterian Senior Care located on South Main Street.

Mr. Burns moved to authorize the Township to request PennDOT conduct a traffic impact study concerning the use of engine break retarders on State Route 136 (E. Beau St.). Ms. Zipko seconded the motion. The motion passed on a unanimous voice vote.

9B: Resolution Extending the Time Required to Meet Certain Conditions of Approval for the Phase 4 Bradford Run Planned Residential Development

Township Manager Stanick reported the Township is in receipt of a request from J. Angelides Enterprises, L.P. (Applicant), the developer for the Bradford Run Planned Residential Development (Development), for the Township to grant an extension of 90 days to fulfill the conditions of Resolution #11-19, a resolution granting Preliminary and Final Subdivision Approval and Land Development Approval for Revised Phase 4 of the Development. He highlighted the conditions that cannot be met within the required timeframe include:

- i. Posting of a performance bond;
- ii. Executing the development agreement; and
- iii. Recording the final plat of subdivision with the Washington County Recorder of Deeds.

Township Manager Stanick stated that in the event an extension of time is not granted, the Applicant would then resubmit materials and proceed through the subdivision and land development approval processes. He concluded by reporting that there are no revisions proposed to the final plat of subdivision or the land development plans.

Mr. Quigley, representing the Applicant, stated that sales for Bradford Run properties are going well, highlighting that Phase 2 homes will be fully occupied by the end of 2019. Mr. Moore inquired whether a traffic signal would be installed on Country Club Road. Mr. Quigley stated that currently there are no plans to do so.

Ms. Zipko moved to extend the time required to meet certain conditions of approval for the Phase 4 Bradford Run Planned Residential Development. Mr. Weber seconded the motion. The motion passed on a unanimous voice vote.

9C: Motion Approving an Indemnification Agreement & Easement Agreement Between Tanger Properties Limited Partnership and South Strabane Township Relating to the Acceptance of Tanger Blvd. as a Public Street

Township Manager Stanick stated that following the execution of the agreed upon Consent Order with Chapman Properties, within 30 days the Township is to initiate the process to formally accept the Deed of Dedication (refer to Agenda Item 9E) so that Tanger Blvd. becomes a public street. He highlighted that prior to the adoption of the Deed of Dedication, it is recommended the Board enter into an agreement with Tanger Properties that:

- Indemnifies the Township from Tanger seeking reimbursement for the fair market value of the land upon which Tanger Blvd. is constructed;
- Provides for the maintenance of Tanger Blvd. by the Township; and
- Affords the Township a temporary construction easement for the construction of a cul-de-sac at the road's terminus; and
- Provides a storm sewer easement to the Township for the maintenance of the existing storm sewer facilities.

Township Manager Stanick concluded by reporting that as this is a condition of the Consent Order, it is recommended the Board approve the agreement with Tanger Properties. Township Solicitor Makel reported that the summary provided by Township Manager Stanick is an accurate reflection of the discussions had between the Township and Chapman Properties.

Mr. Burns moved to approve the Indemnification Agreement & Easement Agreement between Tanger Properties Limited Partnership and South Strabane Township relating to the acceptance of Tanger Blvd. as a Public Street. Ms. Zipko seconded the motion. The motion passed on a unanimous voice vote.

9D: Motion Approving a Preliminary Development Agreement Between Chapman Properties, LLC and South Strabane Township

Township Manager Stanick reported that for the Board's consideration, prior to the execution of the agreed upon Consent Order with Chapman Properties, is a Preliminary Development Agreement which describes the responsibilities and commitments of the Township and Chapman Properties with respect to the improvements to Tanger Blvd. and the development of Southport Dr. He stated that a planned road per the Revised Master Plan, Southport Dr. will serve the 152-acre development. He highlighted that it is important to know that once Chapman Properties proceeds to commence development under the Revised Master Plan (subject to land development review process), Chapman and the Township will enter into a separate development agreement concerning standards of performance, inspections, performance and maintenance guarantees,

indemnifications and assurances of completion, which are all typical components of a development agreement pursuant to the Township's SALDO.

Township Solicitor Makel again reported that the summary provided by Township Manager Stanick is an accurate reflection of the discussions had between the Township and Chapman Properties.

Mr. Burns moved to approve a Preliminary Development Agreement between Chapman Properties, LLC and South Strabane Township. Ms. Zipko seconded the motion. The motion passed on a unanimous voice vote.

9E: Resolution Accepting a Deed of Dedication from Tanger Properties Limited Partnership Offering Tanger Blvd. as a Public Street

Township Manager Stanick reported that following the execution of the agreed upon Consent Order with Chapman Properties, within 30 days the Township is to initiate the process to formally accept the Deed of Dedication so that Tanger Blvd. becomes a public street. He recommended the Board approve the resolution accepting the Deed of Dedication as the Indemnification Agreement and Easement Agreement with Tanger Properties was approved.

Mr. Burns moved to accept a Deed of Dedication from Tanger Properties Limited Partnership offering Tanger Blvd. as a Public Street. Ms. Zipko seconded the motion. The motion passed on a unanimous voice vote.

9F: Motion Approving an Indemnification Agreement Between Chapman Properties, LLC and South Strabane Township Concerning Funds Administered Through the RACP Program

Township Manager Stanick reported that at its meeting on May 28, 2019, the Board conditionally approved a Cooperation Agreement ("Agreement") with the Redevelopment Authority of the County of Washington ("Redevelopment Authority") to undertake all necessary actions and activities required to carry out the Chapman Southport Business Park Project ("Project").

He highlighted that as the Redevelopment Authority and the State Budget Office will oversee the distribution and reimbursement of the funds in accordance with the Project, the Township's approval of the Agreement was conditioned upon Chapman Properties indemnifying the Township from any reimbursements from the Commonwealth for items that may later be determined to have been ineligible.

Mr. Burns moved to approve the Indemnification Agreement between Chapman Properties, LLC and South Strabane Township concerning funds administered through the RACP Program. Ms. Zipko seconded the motion. The motion passed on a unanimous voice vote.

9G: Motion Directing the Planning Commission to Commence with a Process to Consider Amending the Zoning Code for the Establishment of an R-5 Zoning District and Associated Land Uses

Township Manager Stanick stated that following the execution of the agreed upon Consent Order with Chapman Properties, the Township, within 60 days after entry of the Consent Order, has agreed to introduce an amendment to the Zoning Code. He reported that this amendment will seek to create a new R-5 Residential District for the southern portion of the Chapman Property (portion abutting Strabane Manor PRD), which would permit high-density residential, assisted living, offices and commercial uses that will be subject to certain conditions.

He highlighted that as this is a condition of the Consent Order, it is recommended the Board direct the Planning Commission to commence with the public process to consider a text amendment establishing the R-5 Zoning District and associated uses.

Mr. Burns moved to direct the Planning Commission to commence with a process to consider amending the Zoning Code for the Establishment of an R-5 Zoning District and associated land uses. Ms. Zipko seconded the motion. The motion passed on a unanimous voice vote.

9H: Resolution Adopting a Comprehensive Update to the South Strabane Emergency Operations Plan

Township Manager Stanick presented for the Board's consideration a Resolution establishing a comprehensive update to the Township's Emergency Operation Plan (EOP). He explained that an EOP provides a comprehensive approach to emergency management that ensures the Township is prepared to prevent, protect against, mitigate the effects of, respond to, and recover from the hazards and threats that pose the greatest risk to the Township. He stated that currently the Township operates under an EOP adopted in 2008. He concluded by highlighting that Fire Chief Reese and Staff have developed this update which reflects the needs of a growing and increasingly diverse municipality.

Fire Chief Reese noted that October is Fire Prevention Month. He concluded by briefly discussing fire safety education events that will be held in partnership with local businesses and Trinity School District.

Mr. Burns moved to approve the Resolution adopting a comprehensive update to the South Strabane Emergency Operations Plan. Ms. Zipko seconded the motion. The motion passed on a unanimous voice vote.

9I: Motion Accepting the Minimum Municipal Obligation for Plan Year 2020 for the Fire, Police and Non-Uniform Pension Plans

Township Manager Stanick reported that PA Act 205 of 1984 (as amended), governs the funding requirements for all municipal pension plans. He stated the law requires the Chief Administrative Officer of each pension plan to inform the governing board of the municipality of the plan's expected financial obligation for the coming year (also referred to as the Minimum Municipal

Obligation or “MMO”). He highlighted that this must be done by the last business day in September.

Township Manager Stanick stated the calculation of the 2020 MMO required an estimate of the 2019 W-2 wages of the employees covered by the plan; best estimates are indicated on the attached worksheets. He reported the Township’s MMO for 2019 (which will be paid in October) and the MMO for 2020 (which is approved in 2019 for payment in 2020) includes:

Non-Uniform - \$62,288

Fire - \$119,479

Police - \$324,913

Total- \$506,680

Township Manager Stanick stated the MMO must be met with General Fund monies or any General State Aid to Municipal Pensions to which the Township may be entitled under Act 205. He highlighted that for the 2019 plan year, pension costs to the Township (to be paid in October) include:

2019 State Aid Received - \$337,952.93

2019 Township General Fund Expense - \$173,844.07

2019 Total Cost - \$511,797.00

2019 Budget - \$511,797.00

Township Manager Stanick concluded by reporting the out-of-pocket cost for pensions in 2019 is \$173,844.07 (+372% increase over 2018), which is the result of the actuarial valuation performed in 2017 and the result of Ordinance #1-16, an ordinance amending the Fire Pension Plan, that was a requirement of the arbitration award with the Fire Fighters, Local 5006 for the 2015-2018 contract term.

Mr. Burns moved to accept the Minimum Municipal Obligation for the Plan Year 2020 for Fire, Police, and Non-Uniform Pension Plans. Mr. Moore seconded the motion. The motion passed on a unanimous voice vote.

9J: Motion Authorizing a Lien on Property Located at 775 Manifold Road for Violation of Section 302.4 (High Grass) of the International Property Maintenance Code

Township Manager Stanick invited Code Enforcement Officer Barnes to speak in front of the Board concerning the property located at 775 Manifold Road. Mr. Moore stated that the picture provided to the Board illustrating the condition of the property does not accurately reflect its current state. Code Enforcement Officer Barnes highlighted that the photo was taken a few months prior. Concerning the property, he reported that the Township has appeared before the Magistrate and highlighted that the property has gone through a Sheriff Sale. He concluded by reporting the property remains vacant.

Mr. Burns moved to authorize a lien on the property located at 775 Manifold Road for violation of Section 302.4 (high grass) of the International Property Maintenance Code. Ms. Zipko seconded the motion. The motion passed on a unanimous voice vote.

9K: Motion Approving Best Management Practices for the Use of Chemicals, Etc. on Public Property

Township Manager Stanick presented for the Board's consideration a list of Best Management Practices (BMPs) established to instruct and educate the Township Public Works Department and Staff regarding the use of chemicals and other associated substances on public property. He highlighted many of the BMPs including the acquisition of spraying licenses for select employees through the Pennsylvania Department of Agriculture, the establishment of spraying schedules including a list of locations to be sprayed, and employee safety procedures. He stated that the BMPs have been reviewed by Staff and the Township Solicitor. He concluded by stating should the Board approve the proposed BMPs, Public Works Director Grego shall review the BMPs with his Department prior to every spraying/chemical application project.

Mr. Burns moved to approve the BMPs for the use of chemicals on public property. Mr. Moore seconded the motion.

Mr. Burns inquired regarding the number of employees which will become certified prior to the spring of 2020. Assistant to the Township Manager Connors briefly outlined the training requirements, specifically citing that only licensed employees will be able to conduct spraying operations.

Following additional discussion, Mr. Burns moved to amend the motion with the requirement of having two Public Works employees certified to spray at any one time. Mr. Weber seconded the motion to the Amendment to the motion. Mr. Moore concurred with the amendment to the motion. The motion passed on a unanimous voice vote.

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 8:00 p.m.

Respectfully submitted,

Brandon J. Stanick
Township Manager