

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

March 23, 2021

APPROVED MEETING MINUTES

1. CALL TO ORDER

The March 23, 2021 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, Washington, PA 15301).

The following were present:

Board of Supervisors Bob Weber, Chair; Mark Murphy, Vice Chair; Bracken Burns; and Rich Luketich.

Absent Thomas Moore

Also Present Township Manager Brandon Stanick; Assistant to the Township Manager Patrick Conners; Police Chief Drew Hilk; Chief Scott Reese (via Zoom); Township Engineer Kevin Creagh; and Township Solicitor Christopher Furman.

2. PLEDGE OF ALLEGIANCE

Chair Weber led the Pledge of Allegiance.

3. PUBLIC COMMENT

Ms. Sharon Sabatini of Robin Drive came before the Board to express her concerns with a neighboring property located at 1 Acacia Drive. She highlighted that the neighbor has maintained multiple large piles of firewood which in her view posed a threat to the health, safety and well-being of the neighborhood. She submitted a petition to the Board which included signatures of neighboring property owners respectfully requesting that the Board consider an Ordinance to regulate the storage of firewood on private property. She continued by noting that firewood and vessels that house it are not regulated as structures through the International Property Maintenance Code. She cited that the owner of 1 Acacia Drive did not follow through with an Agreement outlined by the Township during its November 24, 2020 Regular Meeting highlighting that the piles of firewood have grown since that time. Chair Weber thanked Ms. Sabatini for her comments.

Ms. Kristen Podolinsky of Acacia Drive came before the Board to express her concerns with the petition circulated by Ms. Sabatini. She outlined her disagreement(s) with Ms. Sabatini and provided illustrations and photos of firewood piles throughout the Township. She cited that her property is 7-acres and the majority of it is not visible from the street. She acknowledged that her

property is unlike the majority of residences within the Windsor Highlands neighborhood. She continued by reporting that no injuries have occurred as a result of the existing firewood piles. She concluded by noting frequent unpleasant interactions between herself and Ms. Sabatini. Mr. Weber thanked Ms. Podolinsky for her comments.

After some discussion, Mr. Burns moved to direct the Planning Commission to consider an Ordinance regulating the number, size, location and storage of firewood and woodpiles on residential property. Mr. Murphy seconded the motion. The motion passed on a unanimous voice vote.

4. MOTION ACCEPTING THE RESIGNATION OF THOMAS MOORE FROM THE SOUTH STRABANE TOWNSHIP BOARD OF SUPERVISORS

Township Manager Stanick presented for the Board's consideration a letter of resignation from Supervisor Thomas Moore dated February 22, 2021.

Mr. Luketich moved to accept the resignation of Mr. Thomas Moore from the South Strabane Township Board of Supervisors. Mr. Burns seconded the motion. The motion passed on a unanimous voice vote.

Mr. Burns thanked Mr. Moore for his service to the Township. Chair Weber stated that formal commendations would be provided in recognition of Mr. Moore's public service at a future meeting. Echoing the sentiment of his colleagues, Mr. Luketich stated that Mr. Moore spent many years serving South Strabane well into his 80's. He noted that the Township needs more volunteers like him.

The Board proceeded to invite perspective candidates to speak concerning their desire to fill the Supervisor vacancy.

Mr. Russell Grego of Manifold Road came before the Board expressing his interest in the Board vacancy. He provided a brief history of his experience working with both South Strabane Township and City of Washington park systems. He continued by highlighting his experience running the First-Step program for at-risk youth as well as his involvement with coaching youth sports within community. He concluded by stating it would be an honor to continue serving the Township in the capacity of Supervisor.

Mr. Mark McCurdy of E. Beau Street came before the Board to express his interest in the Board Vacancy. He stated that he was born and spent the majority of his life in Greene County but noted his affection for South Strabane Township and the greater Washington area given its close proximity to where he grew up. He highlighted that he has been a Township resident since 2017. He cited his professional experience as a teacher and a legislative aid in addition to his role on the Township's Green Team and Community Park Master Plan Steering Committee. He continued by thanking Mr. Grego for his many years of service to the Township. He concluded by citing his goal to make South Strabane Township a better community.

5. **CONSIDERATION OF REGULAR MEETING MINUTES – FEBRUARY 23, 2021**

Mr. Luketich moved to approve the February 23, 2021 Board of Supervisors Regular Meeting Minutes as presented. Mr. Murphy seconded the motion. The motion passed on a unanimous voice vote.

6. **FINANCIAL BUSINESS**

The Board considered the following financial business:

• Payroll:	\$ 122,343.51 (pay date of February 26, 2021)
• Payroll:	\$ 112,339.16 (pay date of March 12, 2021)
• General Fund:	\$ 253,095.71
• Liquid Fuels Fund:	\$ 23,421.83
• Capital Improvement:	\$ 117,991.90
• Escrow:	\$ 9,540.40
• <u>Drug Fund:</u>	<u>\$ 5,000.00</u>
Total Expenditure:	\$ 643,732.51

Overtime costs for the period include:

○ Police:	\$ 2,725.01
○ Fire:	\$ 1,009.19
○ <u>Public Works</u>	<u>\$ 5,381.49</u>
○ Total OT:	\$ 14,047.96 (pay date of February 26, 2021)
○ Police:	\$ 2,725.09
○ Fire:	\$ 2,483.82
○ <u>Public Works</u>	<u>\$ 43.16</u>
○ Total OT:	\$ 4,713.07 (pay date of March 12, 2021)

Please know the following expenses are included for this period:

General Fund:

CFS Bank (Public Works Building Bond Principal Payment)	\$25,000.00
Municipal Employees Insurance Trust (February Coverage)	\$50,701.87
South Strabane Fire Department (1 st Quarter Contribution)	\$27,500.00

Liquid Fuels:

American Rock Salt (Ice Control Salt)	\$20,222.74
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Capital Fund:

FNB Equipment Finance (2020 Ford F150 Supercrew)	\$13,176.95
J5 Construction (Final Pay – Community Park Kitchen & Bath)	\$20,595.00
KS Statebank (Government Obligation: Ford F550, John Deere & Boom Mower)	\$84,219.95

Drug Fund:

Shallow Creek Kennels, Inc. (K9 Narcotics/Patrol Course)	\$5,000.00
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Mr. Luketich moved to approve the payroll for the periods February 7 through February 20 and February 21 through March 6, 2021 and Bills for the period February 20, 2021 through March 19, 2021. Mr. Murphy seconded the motion. The motion passed on a unanimous voice vote.

7. ANNOUNCEMENTS

Township Manager Stanick reported that the Zoning Hearing Board will convene for a Public Hearing on April 14, 2021. He also noted that with the passage of the most recent Congressional Relief Legislation the Township may be eligible for additional COVID relief funding. He highlighted that Staff will continue looking into the matter.

8. TOWNSHIP REPORTS

Municipal Separate Storm Sewer System (MS4) Report

Chair Weber 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.

No comments were received.

Township Manager's Report

Township Fire Services Strategic Planning Initiative

Township Manager Stanick reported that the Steering Committee will be meeting March 31st (7:00 p.m.) to continue its review of the draft report of the Fire Services Strategic Planning Initiative.

Community Park Master Plan Update

Township Manager Stanick reported the Steering Committee met over Zoom on March 16th and focused its discussion on responding to several draft master plans prepared by the Consultant and distributed draft vision and mission statements for review by the Committee at its next meeting on April 20th.

Community Park Kitchen and Bathroom Project Ribbon Cutting

Township Manager Stanick reported the Community Park Kitchen and Bathroom Project is now complete and will be ready for the rental season beginning May 1st. He highlighted that to celebrate this project, a ribbon cutting event will be hosted by the Board of Supervisors on Friday, April 9th (starting at 5:30 p.m.). He noted that shortly after the ribbon cutting, the CP Master Plan Steering Committee and Heather Cuyler (consultant), as well as Staff, will host a community engagement activity with residents and visitors to seek feedback regarding the Master Plan update. He stated that light refreshments will be provided and prizes awarded to those participating in the engagement activities.

Annual Audit

Township Manager Stanick reported that earlier this month, the Township's appointed auditor Cypher and Cypher commenced with the annual audit and will be preparing for the DCED required submission for April 15th. He noted that Cypher and Cypher will present the audit results at an upcoming Board meeting.

Community Park Bat Box

Township Manager Stanick invited Mr. Daniel Bitz to speak on the topic of installing a bat box within Community Park. Mr. Daniel Bitz of CNX energy (and also a Township resident) came before the Board to express his gratitude to the Board and the Township for the consideration of this project. He continued by noting the severity in decline of local bat populations citing white nose syndrome as the primary culprit. He reported that a tentative location has been selected near the rear of the Public Works Facility. He cited the nearby trees and the abundance of sunlight as the main criteria for selection. He then noted that other municipalities including Peter's Township also have agreed to have the boxes installed. Mr. Luketich inquired regarding the success rate of the program. Mr. Bitz stated the program is relatively new and the boxes have not been observed since their installation last year. He noted it is anticipated the program's success rate will increase as more boxes are installed within the region. Chair Weber inquired if the bats would be an issue for park visitors. Mr. Bitz stated that the bats a nocturnal species and would not pose a threat.

After some discussion Mr. Burns moved to install the bat box within Community Park at a location to be determined by Mr. Bitz. Mr. Murphy seconded the motion. The motion passed on a unanimous voice vote.

Township Solicitor's Report

Solicitor Furman had nothing to report.

Township Engineer's Report

Community Park Kitchen and Bathroom 2020-01

Township Engineer Creagh reported that J5 Construction has completed work on the kitchen and bathroom facilities within Community Park. He highlighted that all items on their punchlist have been completed. He noted their final Pay Application for \$20,595.00 is included for the Board's consideration. Mr. Weber congratulated Staff for completing the project. Mr. Weber then inquired regarding the status of the kitchen amenities (i.e. fridge, etc.). Mr. Grego stated that the Township has acquired quotes from Lowe's and Don's Appliances. He noted that both retailers mentioned product availability concerns due to the pandemic.

2020 CIPP Contract 2020-02 454-02-009

Township Engineer Creagh reported that Standard Pipe Services has completed their pre-construction CCTV work on this project. He noted the Crile Road pipe is completely crushed and is unable to be lined. He stated that it will have to be repaired using open-cut methods. He continued by noting that one of Clare Road's pipes has a large hole in the invert approximately 10 feet away from the downstream manhole. He concluded by reporting that KLH is finding a concrete pumper to grout the bottom of it so that it can accept the potential liner.

Secretary/Treasurer's Report

The following items have been received or issued between February 20, 2021 and March 19, 2021:

Minutes and Agendas:

- a) Sanitary Authority Meeting Minutes – January 27, 2021;
- b) Planning Commission Regular Meeting Minutes – February 4, 2021;
- c) Zoning Hearing Board Meeting Minutes – February 8, 2021;

- d) Community Park Steering Committee Meeting Minutes – February 16, 2021;
- e) Green Team Meeting Minutes – February 19, 2021;
- f) Community Park Steering Committee Meeting Agenda – March 16, 2021; and
- g) Green Team Meeting Agenda – March 18, 2021.

Reports and Publications:

- a) Finance Report – February 2021;
- b) Fire Department Report – February 2021;
- c) Fire Department Transaction Detail – February 2021
- d) Public Safety Department Report – February 2021;
- e) Police Department Report – February 2021;
- f) Tax Collector’s Report & Interim Collection Only – February 2021;
- g) Animal Control Officer’s Report – February 2021;
- h) MS4 Report – February 2021;
- i) Township Engineer’s Report – March 23, 2021;
- j) PSATS News Bulletin – March 2021;
- k) PennDOT District 12, Progress Report – Volume 4 Issue 3;
- l) *WEWJA 4th Quarter Financial Statement ending December 31, 2020;*
- m) OR Legal Notice, Meeting Notice – February 23 & March 2, 2021; and
- n) Report dated March 11, 2021 from PMRS regarding Delayed Statements & Reports on Critical Municipal Pension Plan Commonwealth Filing Deadlines.

Correspondence:

- a) Letter dated February 25, 2021 from Township Manager Stanick regarding a letter of support for the update to the County’s Greenways Plan;
- b) Letters dated February 26, 2021 from Township Manager Stanick regarding reappointments to various Board and Commissions;
- c) Email dated March 15, 2021 from Gaylord Plants resigning from the Green Team;
- d) Emails dated March 16, 2021 from Township Manager Stanick regarding the vacancy of the Board of Supervisors; and
- e) Email dated March 16, 2021 Daniel Bitz of CNX regarding the clean-up of the dump area along Zediker Station Road.

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

9. UNFINISHED BUSINESS

There was no unfinished business.

10. NEW BUSINESS

10A: Public Hearing for the Consideration of an Ordinance to Re-Zone a 141-Acre Parcel (Parcel IDs 600-001-00-00-0017-18 & 600-001-00-00-0017-23) from a C-2 General Commercial Designation to an R-4 Medium-Density Residential Designation along Landings Drive (Meadows Landing Associates, LP).

Township Manager Stanick reported that the Township is in receipt of an application from Meadows Landing Associates, LP (“Applicant”) to re-zone approximately 141 Acres which

encompasses portions of two separate parcels (600-001-00-00-0017-18 & 600-001-00-00-0017-23) (“Property”) along Landings Drive from a C-2 General Commercial to R-4 Medium-Density Residential zoning designation. He stated the Applicant is also seeking final Master Plan approval for the proposed Meadows Landing Planned Residential Development (“PRD”) on the aforementioned site (refer to Agenda Item 10B). He continued by noting the purpose of the proposed rezoning is to accommodate a mixed-dwelling PRD comprised of 101 Single-Family Detached Units, 146 Duplex Units (78 lots) and 87 Townhomes totaling 334 units.

He highlighted that the Applicant participated in several meetings with the Planning Commission (12/3/20, 1/7/21, & 2/4/21) and the Board of Supervisors (12/15/20) to present and receive feedback regarding the re-zoning and the proposed PRD. He cited that at its February 4, 2021 meeting, the Planning Commission recommended the Board approve the request to rezone the Property from C-2 Commercial to R-4 Residential. He also noted that the Planning Commission recommended the Board conditionally approve the Master Plan for the proposed PRD (refer to Agenda Item 10B). He then reported that in a letter dated February 2, 2021 the Township Engineer recommended approval of both the re-zoning (based on completeness) and Master Plan (based on compliance).

He highlighted that the request to re-zone the Property is deemed consistent and comparable with the guidance provided by the Township’s Comprehensive Plan. He continued by pointing out that the Property is identified in a Mixed-Use area along the Rt. 19 Corridor per the Future Land Use Map, noting that mixed-use is defined as regulations that permit the use of both commercial and residential development. He reported that from a land use planning perspective, the proposed residential character of the development would seek to compliment adjacent and nearby commercial areas along the Route 19 and Racetrack Road Corridors. He then highlighted that the Applicant had addressed the following points which have been identified as priorities within the Comprehensive Plan

- Providing diverse housing options that support different populations within the Township;
- Connectivity with both future and emergency access points and sidewalks outlined; and
- Continuity with the assigned mixed-use designation of the parcel (i.e. commercial/residential).

He then reported that a legal notice was published in the O-R on February 22nd and March 1st advising of the public hearing scheduled for March 23rd in addition to a letter dated February 18th mailed to the affected property owner (the Applicant). He cited that advertisement of the Public Hearing was also posted along the Applicant’s property per the requirements of the Township’s Code.

Township Solicitor Furman proceeded to read aloud the following exhibits into the Public Record:
Exhibit A. – Minutes of December 3, 2020 Meeting of Planning Commission – Discussion of Re-Zoning and Master Plan of Meadows Landing PRD;
Exhibit B. – Minutes of December 15, 2020 Meeting of the Board of Supervisors – Discussion of Re-Zoning & Master Plan of Meadows Landing PRD;

Exhibit C. – Minutes of the January 7, 2021 Meeting of the Planning Commission – Discussion of Re-Zoning & Master Plan of Meadows Landing PRD;
Exhibit D. - Minutes of the February 4, 2021 Meeting of the Planning Commission – Recommendation of Re-zoning & Master Plan Approval of Meadows Landing PRD;
Exhibit E. – Legal Notice – Published in February 22, 2021 & March 1st editions of Observer-Reporter;
Exhibit F. – Public Notice mailed to property owner;
Exhibit G. – Meadows Landing Traffic Statement;
Exhibit H. – Re-Zoning Application Submitted by Meadows Landing Associates, LP;
Exhibit I. – Proposed Ordinance with Legal Description of Property to be re-zoned;
Exhibit J. – Proposed Master Plan – Meadows Landing Planned Residential Development;
Exhibit K. – Meadows Landing Master Plan – Zoning Data;
Exhibit L. – Meadows Landing Re-Zoning Legal Description Plot Exhibit;
Exhibit M. – Meadows Landing Re-Zoning Narrative;
Exhibit N. – Meadows Landing Existing Zoning Map;
Exhibit O. – Meadows Landing Proposed Zoning Map;
Exhibit P. – Meadows Landing Future Land Use;
Exhibit Q. – Township Zoning Map – Before and After Proposed Re-Zoning;
Exhibit R. – Township Engineer’s Review Letter – Dated February 2, 2021;
Exhibit S. – Comments Submitted by Ms. Charlene Scuvotti (provided to the Planning Commission at their February 4, 2021 Regular Meeting);
Exhibit T. – Correspondence, Reports, and Documents submitted from the Township’s file regarding Meadows Landing (provided to the Planning Commission at their February 4, 2021 Regular Meeting);
Exhibit U. – Information provided by Mr. Hal Kestler regarding a summary of the status of the litigation between Mr. & Mrs. Scuvotti and Meadows Landing (provided to the Planning Commission at their February 4, 2021 Regular Meeting); and
Exhibit V. – Township Action Item (Agenda Item 10A)

Mr. Burns moved to enter Exhibits A-V into the Public Record. Mr. Murphy seconded the motion. The motion passed on a unanimous voice vote.

Mr. Allan Beechey of Sheffler & Company, Inc., representing the Applicant thanked Mr. Stanick and Administrative Staff for the comprehensive summary of the proposal. He stated that his presentation would center around the Project Narrative which was provided to the Board in advance of the meeting. He stated that Meadows Landing Associates owns approximately 165 acres of land (currently zoned C-2) along the Route 19 corridor. He highlighted that approximately 141 acres of which is being proposed for a R-4 zoning designation. He stated that a residential designation would effectively “down-zone” the property, noting that the impact of commercial development (i.e. impervious surfacing) would be much greater if the property remained commercial. He cited that undeveloped property owned by Meadows Landing Associates directly along Route 19 (approximately 24 acres) would remain zoned commercial under the proposal.

Mr. Luketich inquired if the proposed Development would have a swimming pool. Mr. Beechey note that an area for a swimming pool has been designated on the proposed Master Plan. He stated the details of the pool (i.e. size) have not been finalized by the Developer. Mr. Luketich stated that a playground would be a nice amenity within the open-space area adjacent to the proposed recreation facility and lot. He then inquired regarding the length of the trail system within the Development. Mr. Beechey reported that each stretch of trail would be approximately 1,000 feet in length. He noted that the trails serve to connect and compliment the comprehensive sidewalk system within the Development. Mr. Luketich then inquired of the archeological site on the property. Mr. Beechey stated that a Native American site has been designated by the Pennsylvania Historical and Museum Commission at the rear of the site. He noted that no development will occur on or around this portion of the property, citing the extensive restrictions placed on the site. Additionally, he noted that a historical plaque and observation point could be included to recognize the site, as has been requested by Township Staff. Chair Weber inquired regarding the proposed meeting area included on the Master Plan. Mr. Beechey stated that a 5,000 sq. ft. community room would accompany the pool. Chair Weber then inquired regarding future connectivity. Mr. Beechey reported that should future development occur, connectivity would be feasible with a connection to Fischer Road.

Township Solicitor Furman set the parameters for the re-zoning hearing. Township Stenographer Rozanc administered the oath to those in attendance. Ms. Charlene Scuvotti of Pine Valley Road expressed her frustrations with past proceedings regarding the Meadows Landing property. She continued by stating that in her opinion the re-zoning should not occur prior to the conclusion of the litigation between herself and Meadows Landing Associates, L.P. She stated that she had submitted photographs outlining stormwater runoff and drainage issues and streambank erosion citing inadequate stormwater facilities. She then continued to read aloud an excerpt from the Township's Excavations, Filling, and Grading Ordinance. She then requested a study from the Township to verify that adequate stormwater facilities have been installed on the property and that the geotechnical report performed by the Meadows Landing Development be included in the Public Record.

Mr. Beechey noted that he is relatively new to the Meadows Landing project but stated that very little of Ms. Scuvotti's testimony is relevant to the matter at hand which is a re-zoning application. Mr. Jacob Deane of the Sommer Law Group, representing Mr. & Mrs. Scuvotti, cited litigation between the Scuvotti's and Meadows Landing noting that appeal 1279WDA is before the Pennsylvania Superior Court and a determination should be rendered within the year. He concluded by stating for the record that the Scuvotti's are opposed to the re-zoning application submitted by Meadows Landing Associates, LP. Mr. Hal Kestler, representing the Developer, expressed his opposition to Ms. Scuvotti's comments noting that all applications and reviews for the Meadows Landing property have gone through the Township and all other proper channels. He cited numerous site visits conducted by the DEP and Washington County Conservation District.

Mr. Chester Patrino of Patrino Lane came before the Board to express his support for the project and proposed re-zoning. He stated that his property abuts the area to be re-zoned and highlighted that Meadows Landing has been a great neighbor. He proceeded to ask a question regarding the buffer yards required for PRDs that abut an R-2 Zoning District, specifically in regards to fencing. Mr. Beechey stated that he would be happy to speak with Mr. Patrino concerning the proposed buffer(s) after the meeting. After a question from Ms. Scuvotti concerning the stormwater “As Built” a discussion ensued. Township Solicitor Furman asked Township Engineer Creagh to verify that the Township would conduct a full review of the post construction stormwater management plan when the Land Development Application is submitted by Meadows Landing Associates, LP. Township Engineer Creagh affirmed that would be the case. Township Solicitor Furman asked Township Manager Stanick if he recalled being asked to submit Exhibit T - Correspondence, Reports, and Documents submitted from the Township’s file regarding Meadows Landing. Township Stanick confirmed the materials were provided at the Planning Commission’s request at its February 4, 2021 Regular Meeting.

As there were no further comments, Mr. Burns moved to close the Public Hearing. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

Township Solicitor Furman recommended the Board allow Legal Counsel to prepare Findings of Fact and Conclusions of Law from the Public Hearing in anticipation of consideration during their April 27th Regular Meeting.

Mr. Burns moved to direct the Township Solicitor to prepare Findings of Fact and Conclusions of Law for the Public Hearing for the Consideration of an Ordinance to Re-Zone a total of 141-Acres (Parcel IDs 600-001-00-00-0017-18 & 600-001-00-00-0017-23) from a C-2 General Commercial Designation to an R-4 Medium-Density Residential Designation along Landings Drive (Meadows Landing Associates, LP). Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

10B: Consideration of a Master Plan of Meadows Landing Associates, LP, for the Meadows Landing Planned Residential Development along Landings Drive

Township Manager Stanick reported that in addition to the re-zoning application previously considered by the Board (Agenda Item 10A), the Township is also in receipt of a request for Master Plan approval of the Meadows Landing Planned Residential Development (“PRD”) from Meadows Landing Associates, LP (“Applicant”). He stated the 141-acre combined tracts of land (parcel IDs 600-001-00-00-0017-18 & 600-001-00-00-0017-23) (“Property”) along Landings Drive is being proposed for development to accommodate a mixed-dwelling residential community comprised of 101 detached single-family dwellings, 146 duplex units (78 lots) and 87 townhomes totaling 334 units. He highlighted that the purpose of the Master Plan is to establish general, high-level planning expectations between the Developer and the Township. He noted that should the Board accept and approve the Master Plan, the Developer will prepare the necessary documents for subdivision, land development and conditional use approvals in the coming months. He stated that it is important to know that the proposed development, when going through the aforementioned approval processes, must comply with the Township Zoning and

Subdivision/Land Development Codes (unless variances/modifications are granted) which may alter the approved Master Plan (de minimis changes are expected and would be reviewed by Staff for compliance and consistency with any approved Master Plan).

He reported that the proposed PRD consists of the following:

Zoning Lots: comprised of a total of 334 units (2.35 units/acre where the Code allows greater density up to 12/acre), the minimum standards for R-4 PRD are either met or are more favorable than Code requirements.

Infrastructure: served by public sanitary sewer system that will become part of WEWJA. Four existing stormwater detention ponds (hold water for a short time then releases) that will remain private and a conveyance system that will be dedicated to the Township.

Parks & Recreation: provided open space consists of ~48% of the entire Property, an outdoor pool (approx. size not provided), and an accompanying 3,000 sq. ft. community clubhouse. This recreational area is provided with a parking lot. The Applicant also outlines a 4-acre low-impact recreation area adjacent to the community clubhouse. Additionally, there are three walking trails connecting the various portions of the PRD. Sidewalks will be located along both sides of all public streets within the Development. Lastly, Buffer areas are provided around the perimeter of the proposed PRD as required by the Zoning Code and will differ depending on which zoning district they adjoin.

Connectivity: A future street connection established leading to Fischer Road in the event that neighboring parcels develop. Additionally, sidewalks are also provided along both sides of the streets that are planned for future connection. Lastly, the Applicant provides connectivity through a system of sidewalks and walking trails to the existing commercial developments along Landings Drive.

Mr. Luketich asked Mr. Beechey to affirm that a pool would be included within the proposed PRD. Mr. Beechey confirmed that a pool would be included within the PRD.

Mr. Burns moved to conditionally approve the Master Plan of Meadows Landing Associates, LP, for the Meadows Landing Planned Residential Development along Landings Drive upon the approval of the re-zoning of parcel IDs 600-001-00-00-0017-18 & 600-001-00-00-0017-23 from C-2 General Commercial to R-4 Medium Density Residential. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

10C: Motion Approving a Resolution Urging Pennsylvania's Independent Regulatory Review Commission to Reject the Proposed Carbon Dioxide Budget Trading Program Regulation as Part of the Regional Greenhouse Gas Initiative

Township Manager Stanick reported that the Township is in receipt of a request from the Washington County Assoc. of Township Officials ("WCATO") encouraging member Townships to pass the resolution before the Board.

He summarized that Governor Wolf directed the DEP to develop regulations that would facilitate PA's entry into partnership with the Regional Greenhouse Gas Initiative ("RGGI"). He noted the RGGI is a multistate program in which each state regulates carbon dioxide emissions from electric

generation plants by imposing a cap and then a tax on those emissions with the intent to reduce in-state carbon dioxide emissions and generate revenues to fund non-fossil-fuel-related projects. He continued by stating the DEP has submitted a proposed carbon dioxide trading program (“Program”) regulation to, and received approval from, the Environmental Quality Board (“EQB”) in September of 2020. He cited the approval would be subject to a public comment and review by the Independent Regulatory Review Commission (“IRRC”) which is ongoing at this time; the attached resolution, if accepted by the Board, would serve as official public comment for this process.

He reported the WCATO Executive Board is in opposition to the Program regulation as it states the following in the resolution:

- i. the PA Air Pollution Control Act (“Act”) does not reference carbon dioxide under the definition of “air pollution,” or express statutory authorization to regulate, cap and tax those emissions, as well as requires an air pollutant to be “inimical to public health....” unlike carbon dioxide which is necessary to sustain life;
- ii. any carbon dioxide reductions in PA would be offset by increased carbon dioxide emissions from neighboring non-RGGI states (ie. WV, OH) and thus fail to meet the Act’s mandate;
- iii. there is no mandate that the Commonwealth cap and tax carbon dioxide emissions;
- iv. per the Commonwealth Supreme Court, “the power of taxation, in all forms and of whatever nature lies solely in the General Assembly” and regulatory fees are intended to cover costs of administering regulations;
- v. consistent with the PA Constitution and Supreme Court precedent, the Act mandates that the EQB may only establish fees sufficient to cover costs of administering the regulations, however the DEP intends to utilize RGGI revenues beyond that purpose;
- vi. the PA Constitution precludes the General Assembly from delegating taxing power to an unelected board such as the EQB;
- vii. the \$2.4 billion RGGI tax will be imposed on all coal and natural gas electric generation plants in PA, which DEP models indicate the elimination of 87% of existing PA coal generation by 2022 and impair future competitiveness of natural gas plants;
- viii. the forced early retirement of coal and natural gas plants will lead to the loss of thousands of jobs supporting the electric generation industry;
- ix. should coal and natural gas plants close as a result of the RGGI fee, PA customers will be at risk for significant price spikes and potential brownouts indicative of other states that moved away from fossil electricity before ensuring non-fossil fuel electricity was available to meet demand;
- x. all RGGI states expressly authorize the regulation that specifically governs entry into the initiative or otherwise expressly authorizes the regulation of carbon dioxide and nearly all of those state statutes appropriate RGGI revenues to assist low-income families with direct bill pay assistance, which DEP acknowledged cannot occur under its proposed rulemaking.

Mr. Burns objected to the proposed Resolution and read aloud a resolution he prepared for the Board to consider.

“The South Strabane Township Board of Supervisors endorses the actions taken by the Governor of Pennsylvania and The Department of Environmental Protection which regulate Carbon Dioxide

emissions and are designed to assure clean air for the residents of South Strabane and the Commonwealth of Pennsylvania.

In support of this resolution, we offer the following:

Monthly average atmospheric carbon dioxide levels have topped 410 ppm for the first time in 800,000 years.

CO2 levels will dramatically increase pollution levels and related diseases, cause extreme weather events including deadly heat waves, and broaden the ranges of disease carrying insects like mosquitoes and ticks.

If unchecked, this will lead to a 6 degree increase in global temperatures, three times that deemed acceptable by the Paris Climate Agreement.

A recent study shows that air pollution is the cause of death for 9 million people every year.

Unchecked increases in CO2 and the resultant increase in global temperatures has resulted in melting of polar ice caps and resultant flooding in communities adjacent to waterways.

Recent increases in global temperatures have resulted in devastatingly strong hurricanes, monsoons, wildfires, and flooding.

The South Strabane Township Board of Supervisors stands with the Governor and DEP in their efforts to control carbon dioxide pollution.”

Mr. Burns moved to adopt his proposed Resolution. Due to the lack of a second the motion died.

Chair Weber inquired about the WCATO. Township Manager Stanick stated that each County has an association of Township officials that meet to discuss local and regional issues. He noted all Townships in the County are members of the organization.

Mr. Luketich moved to approve the Resolution urging Pennsylvania’s Independent Regulatory Review Commission to reject the proposed Carbon Dioxide Budget Trading Program regulation as part of the Regional Greenhouse Gas Initiative. Chair Weber seconded the motion.

Mr. Murphy stated that he would be in favor of tabling the matter to allow for further research. He inquired what benefit the Township would receive by passing the Resolution. Mr. Luketich stated that he supports the Resolution. He noted that the Commonwealth should not tax carbon emissions and stated that there isn’t a viable alternative to fossil fuels at the current moment.

Mr. Luketich withdrew his original motion.

Mr. Murphy moved to table the matter. Mr. Luketich seconded the motion. The motion passed on the following roll call vote:

Ayes: (4) Burns, Luketich, Murphy, and Chair Weber

Nays: (0) None

10D: Resolution Authorizing Highest Elected Official Approval Relating to Section 147(F) of the Internal Revenue Code Approving Issuance by the Authority for Improvements in Municipalities of its Tax-Exempt Bonds in a Principal Amount Not to Exceed \$90,000,000 for Presbyterian SeniorCare & Longwood at Oakmont, Inc.

Township Manager Stanick reported the Township is in receipt of a request from Presbyterian SeniorCare (“Company”) to approve a resolution that would allow it to refinance up to \$90 million of its existing tax-exempt bonds. He stated that pursuant to the Internal Revenue Code of 1986, an issue of tax-exempt obligations is to be approved by the applicable elected representative of the governmental unit in which the project being financed with proceeds of the obligations is located. He noted that because two of the facilities, Southminster Place and Woodside Place at Washington, are located in the Township (along S. Main St.), the Company is required to obtain approval from South Strabane. He continued by reporting that a public hearing occurred on March 23rd at 2:00 p.m. which was required and was held by the Authority for Improvements in Municipalities (“Authority”), which is an authority organized by Allegheny County.

He continued by stating the two facilities located in the Township are both assisted living facilities designed for assisted living patients and Alzheimer’s and dementia patients. He noted that the Board may recall that in December 2017, at the Company’s request, approved a resolution allowing the financing of tax-exempt revenue notes in the amount of \$12.5 million for the construction of the new Dementia Center.

He cited that as the facilities are located in the Township, the approval of the Board to authorize the Chairman to sign certification documents is required. He stated the approval of the financing of the project does not and will not financially obligate the Township in any way and is being provided in order to allow the Authority’s financing of the project to comply with applicable provisions of the Internal Revenue Code. He concluded by reporting the Township Solicitor had reviewed the Resolution and certification and found the documents acceptable.

Mr. Burns moved to approve a Resolution authorizing highest elected official approval relating to Section 147(F) of the Internal Revenue Code approving issuance by the Authority for improvements in municipalities of its tax-exempt bonds in a principal amount not to exceed \$90,000,000 for Presbyterian SeniorCare & Longwood at Oakmont, Inc. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

10E: Motion Adopting Findings of Fact and Conclusions of Law Regarding the Consideration of an Ordinance to Re-Zone a Portion of the Pancake Neighborhood From C-2 General Commercial District to R-4 Medium Density Residential District

Township Manager Stanick reported, presented for the Board’s consideration are Findings of Fact from the Public Hearing concerning the proposed re-zoning of a portion of the Pancake Neighborhood (11 lots) from C-2 General Commercial to R-4 Medium-Density Residential as well as re-zoning a multi-zoned lot (Parcel ID 600-006-00-00-0032-01). He noted that at its February 23, 2021 meeting, the Board unanimously voted to reject an Ordinance to re-zone the aforementioned portions of the Pancake neighborhood. He stated that pursuant to Section 908(9) of the MPC, the Board must render a written decision regarding the proposed Ordinance within 45 days. He highlighted that because the Ordinance was denied, the decision must include findings and conclusions which are attached for the Board’s consideration.

Mr. Luketich moved to adopt Findings of Fact and Conclusions of Law regarding the consideration of an Ordinance to re-zone a portion of the Pancake Neighborhood from C-2 General Commercial District to R-4 Medium Density Residential District. Mr. Murphy seconded the motion. The motion passed on a unanimous voice vote.

10F: Motion Awarding the Sale of a 2006 Ford Explorer to the Highest Bidder Deemed Acceptable by the Township

Township Manager Stanick reported that the Board awarded Municibid Listing #33082592 to Mr. Herman Barber of Upper Marlboro Maryland for the Sale of a 2006 Ford Explorer (VIN 1FMEU72E86UB17365) in the amount of \$2,900.00 during their January 26th Regular Meeting. He noted that Mr. Barber refused numerous communication efforts made by the Township and subsequently the item was re-listed for auction. He stated that on March 12th Staff re-listed the 2006 Ford Explorer for sale on the Municibid Platform. He cited that an advertisement listing the time and date of the bid was placed in the March 11th edition of the Observer-Reporter. He continued by highlighting comparable trade-in value was estimated at approximately \$2,000.00. He reported that on March 18th after a period of 7 days, Mr. Nathan Lefever submitted the highest bid in the amount of \$3,002.00. He stated that Mr. Lefever, or the next highest acceptable bidder, will have 14 days to submit payment and remove the vehicle from Township property.

Mr. Burns moved to award the sale of a 2006 Ford Explorer to the highest bidder deemed acceptable by the Township. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

10G: Motion Awarding the Sale of a 2013 Ford Taurus (Police Interceptor) to the Highest Bidder Deemed Acceptable by the Township

Township Manager Stanick reported that on March 12th Staff listed a 2013 Ford Taurus Police Interceptor (VIN 1FAHP2MT3DG204504) for sale on the Municibid Platform. He noted that an advertisement listing the time and date of the bid was placed in the March 11th edition of the Observer-Reporter. He continued by highlighting that comparable trade-in value was estimated at approximately \$4,000.00. He stated that on March 18th after a period of 7 days, Mr. Alex Sherman submitted the highest bid in the amount of \$5,200.00. He noted that Mr. Sherman, or the next highest acceptable bidder, will have 14 days to submit payment and remove the vehicle from Township property.

Mr. Burns moved to award the sale of a 2013 Ford Taurus (Police Interceptor) to the highest bidder deemed acceptable by the Township. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

10H: Motion Approving an Equitable Sharing Agreement with the Washington County District Attorney's Office Regarding Restrictions upon the use of Forfeited Cash, Property, Proceeds, and any Interest Earned Thereon

Police Chief Hilk presented for the Board's consideration an Agreement which sets forth the requirements for participation in the Washington County District Attorney Equitable Sharing Program. He stated the Agreement outlines guidelines/regulations for the use of forfeited cash, property, proceeds from crime, which are equitably shared by the program with participating law

enforcement agencies. He noted that any assets are to be used for law enforcement purposes in accordance of the Federal Equitable Sharing Program, as well as those programs of the Departments of Justice and Treasury and the Attorney General for the Commonwealth of Pennsylvania.

Mr. Burns moved to approve an Equitable Sharing Agreement with the Washington County District Attorney's Office Regarding Restrictions upon the use of forfeited cash, property, proceeds, and any interest earned thereon. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

10I: Motion Authorizing the Purchase of Body Worn Cameras in the amount of \$58,209

Police Chief Hilk reported that the Board of Supervisors approved the Police Department's Body Worn Camera Policy at its February 23rd Regular Meeting. He stated the Board was also presented with the Department's Body Worn Camera Budget at its February 9th Non-Legislative Meeting. He highlighted that the Police Department has obtained a 5-year proposal from WatchGuard in the amount of \$58,209 for the purchase of hardware, training, warranty and maintenance agreements. He cited the \$58,209 is included within the 2021 budget. He noted the initiative includes use of the Federal Drug Seizure account, and a \$17,000 matching grant obtained through the Federal Bureau of Justice Assistance.

Mr. Burns moved to authorize the purchase of body worn cameras in the amount of \$58,209. Mr. Murphy seconded the motion. The motion passed on a unanimous voice vote.

10J: Motion Appointing an Elected Auditor to a term Expiring December 31, 2021

Township Manager Stanick reported that the Township is in receipt of a letter of interest from resident Janie Deemer to fill a vacancy on the Township's Board of Auditors with a term ending December 31, 2021.

Mr. Burns moved to appoint Ms. Janie Deemer to serve on the Board of Auditors to a term expiring December 31, 2021. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

ADJOURNMENT

Mr. Burns moved to adjourn the meeting. Mr. Murphy seconded the motion. The motion passed on a unanimous voice vote and the meeting adjourned at 9:06 p.m.

Respectfully submitted,

Brandon J. Stanick
Township Manager