

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

April 27, 2021

APPROVED MEETING MINUTES

1. CALL TO ORDER

The April 27, 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; Russell Grego; and Richard Luketich.
----------------------	--

Absent	None
--------	------

Also Present	Township Manager Brandon Stanick; Assistant to the Township Manager Patrick Conners; Police Chief Drew Hilk; Township Engineer Kevin Creagh; and Township Solicitor Christopher Furman.
--------------	---

2. PLEDGE OF ALLEGIANCE

Prior to the Pledge of Allegiance, Chair Weber reported that the Board had met in Executive Session to discuss personal matters. He then proceeded to lead the Pledge of Allegiance.

3. PUBLIC COMMENT

Ms. Charlene Scuvotti of Pine Valley Road came before the Board to express her concerns with the draft Findings of Fact concerning the Meadows Landing Re-Zoning Application before the Board for consideration. She stated the matter should not be considered prior to the conclusion of existing litigation between herself and Meadows Landing Associates, LP. Citing stormwater runoff and streambank degradation on her property. She asked that the Township enforce its existing ordinances and stormwater regulations. She stated for the record that she does not give permission to the Developer to allow sub-surface runoff onto her property.

4. CONSIDERATION OF REGULAR MEETING MINUTES – MARCH 23, 2021

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

5. FINANCIAL BUSINESS

The Board considered the following financial business:

• Payroll:	\$ 122,316.13 (pay date of March 26, 2021)
• Payroll:	\$ 110,165.28 (pay date of April 9, 2021)
• General Fund:	\$ 202,820.60
• Liquid Fuels Fund:	\$ 36,876.51
• Capital Improvement:	\$ 28,158.79
• Escrow:	\$ 8,573.30
Total Expenditure:	\$ 508,910.61

Overtime costs for the period include:

○ Police:	\$ 2,922.99
○ Fire:	\$ 2,185.68
○ Public Works	\$ 0.00
○ Total OT:	\$ 5,108.67 (pay date of March 26, 2021)
○ Police:	\$ 3,751.20
○ Fire:	\$ 446.13
○ Public Works	\$ 0.00
○ Total OT:	\$ 4,197.33 (pay date of April 9, 2021)

Please know the following expenses are included for this period:

General Fund:

Municipal Employees Insurance Trust (April Coverage)	\$50,105.66
--	-------------

Liquid Fuels:

Standard Pipe Services (2020 CIPP Project)	\$30,005.00
--	-------------

Capital Fund:

FNB Equipment Finance (Two - 2020 Ford Utility AWDs)	\$28,158.79
--	-------------

Mr. Murphy moved to approve the payroll for the periods March 7 through March 20 and March 21 through April 3, 2021 and Bills for the period March 20, 2021 through April 23, 2021. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

6. ANNOUNCEMENTS

Township Manager Stanick reported that the Township's Green Team and other volunteers will be performing a litter pickup event in Community Park on Saturday, May 1st. He invited interested attendees to join the group.

7. 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.

Ms. Charlene Scuvott of Pine Valley Drive stated the Township should start taking care of its stormwater facilities. She noted the poor condition of Catch Basin #4 on the Meadows Landing Property.

Township Manager's Report

CP Kitchen and Bathroom Project Ribbon Cutting

Township Manager Stanick reported that the Community Park Kitchen and Bathroom Project is now complete and will be ready for the rental season beginning May 1st. He noted that in order to celebrate the conclusion of the project, the Board of Supervisors hosted a ribbon cutting ceremony on Friday, April 9th. He highlighted that shortly after the ribbon cutting, the Community Park Master Plan Steering Committee and Heather Cuyler (consultant), as well as Staff, hosted a community engagement event which included various activities resulting in feedback regarding the Master Plan update from Township residents and park users. He stated that Ms. Cuyler will be consolidating the findings from the meeting in anticipation of the Steering Committee's meeting on May 11th.

Municipal Building Accessibility and Security Improvements

Township Manager Stanick reported that construction commenced earlier this month on the Township's accessibility and security improvements to the Municipal Building. He noted that work is anticipated to be finished before the end of May.

Annual Audit

Township Manager Stanick reported that Cypher & Cypher has completed the Township's Annual Audit and will be presenting their report at the Board's May 25th Regular Meeting.

Banking Services RFP

Township Manager Stanick reported that on April 23, 2021 a request for proposal for banking and financial services was advertised in the Observer-Reporter. He stated that responses to the RFP are due May 25th and a recommendation will be prepared for the Board's consideration at its June 22nd meeting.

Eagle Scout Project – Township Welcome Sign

Assistant to the Township Manager Connors reported that over the recent months, and in effort to complete an Eagle Scout Project, Aiden McCoy of Boy Scout Troop 1315 has worked with the Green Team and Staff to develop a project partnership for the development and installation of a welcome sign along E. Beau Street (on the property of CFS Bank – 730 E. Beau Street). He continued by noting that Aiden had self-fundraised \$500 in contributions for the project from his family and Local Troop. He noted that during its February 23rd meeting, the Board approved the project and agreed to pay the remaining balance of the sign and any additional hardware (estimated \$200). He concluded by reporting that Aiden and his Troop are tentatively planning to install the sign and landscaping, with the assistance of the Township Public Works Department on Friday, May 21st.

Beautification Program

Mr. Burns reported that during its November 24, 2020 Regular Meeting, the Board approved the creation of a South Strabane Township Beautification Award which would be managed by the Township's Green Team. He cited the overall goal of the Program is to encourage residents and businesses to enhance and beautify their properties and recognize those who help make our Township an exceptional place to live, work, and visit. He highlighted that over the past months the Green Team has developed the Program's structure which will include three nominating categories: Residential, Agricultural, and Commercial. He stated that nominated properties will be reviewed and judged by the Green Team and members of the Martha Washington Garden Club. Assistant to the Township Manager Conners provided an illustration of the Program's flyer and outlined how interested participants could find out more information regarding the initiative. Mr. Burns concluded by reporting the deadline for nominating an outstanding property is July 16th.

Township Solicitor's Report

Solicitor Furman had nothing to report.

Township Engineer's Report

Billy Bell Park 454-13

Township Engineer Creagh reported that KLH has been assisting the Township in meeting the requirements of the DCNR grant for Billy Bell Park Playground Project. He cited that the project will add new ADA-compliant equipment to the park and add ADA-compliant parking spaces. He noted that an updated equipment quote from Play & Park Structures has been provided to the Board for consideration.

He continued by noting the equipment and installation is being bid through Co-Stars, which does not require further advertisement for the procurement process. He highlighted that due to COVID-19 issues and supply chain disruption a \$3,713.72 "Material Surcharge" line item has been added to the aforementioned quote. He cited the increase is due to the scarcity of certain petroleum-based materials and shipping issues. He concluded by reporting that if the material is not ordered by May 14th, that line item will double again according to the vendor.

2020 CIPP Contract 2020-02 454-02-009

Township Engineer Creagh reported that Standard Pipe Services has completed the cured-in-place lining work on Clare Road. He noted that Pay Application #1 is before the Board for consideration. He stated that KLH has modified their Pay Application to reflect the fact that Standard Pipe was unable to complete the contracted work on Crile Road, due to the existing pipe being collapsed and not suitable for CIPP. He concluded by reporting that the pay request previously approved is for \$30,005.00.

Secretary/Treasurer's Report

The following items have been received or issued between March 20, 2021 and April 23, 2021:

Minutes and Agendas:

- a) Sanitary Authority Meeting Minutes – February 24, 2021;
- b) Planning Commission Regular Meeting Minutes – March 4, 2021;
- c) Zoning Hearing Board Meeting Minutes – March 12, 2021;
- d) CP Master Plan Steering Committee Meeting Minutes – March 16, 2021;
- e) Green Team Meeting Minutes – March 18, 2021;

- f) Sanitary Authority Meeting Agenda – March 24, 2021;
- g) Planning Commission Regular Meeting Agenda – April 1, 2021;
- h) Board of Supervisors Special Meeting Agenda – April 12, 2021;
- i) Zoning Hearing Board Regular Meeting Agenda – April 14, 2021;
- j) Green Team Meeting Agenda – April 15, 2021; and
- k) Zoning Hearing Board Regular Meeting Agenda – April 19, 2021.

Reports and Publications:

- a) Finance Report – March 2021;
- b) Fire Department Report – March 2021;
- c) Volunteer Fire Department Transaction Detail – March 2021;
- d) Public Safety Department Report – Jan through March 2021 (represents new report format);
- e) Police Department Report – March 2021;
- f) Tax Collector's Report & Interim Collection Only – March 2021;
- g) Animal Control Officer's Report – March 2021;
- h) Township Engineer's Report – April 27, 2021;
- i) OR Public Hearing Notice – March 23, 2021;
- j) OR Public Notice, Legal & Meeting Notice – March 23 & March 30, 2021;
- k) OR Public Notice, Notice to Bidders – April 1 & April 4, 2021;
- l) OR Public Notice, Request for Qualification for ZHB Solicitor – April 8, 2021;
- m) OR Legal Notice, Meeting Notices – April 9, 2021;
- n) OR Legal Notice, Hearing – April 15, 2021;
- o) OR Public Notice, Banking and Fin. Services, April 23, 2021 & Notice to Bidders – April 21 & April 27, 2021;
- p) PennDOT District 12, Progress Report – Volume 4 Issue 4; and
- q) PennDOT Moving Forward – Spring 2021.

Correspondence:

- a) Email (w/attachment) dated March 12, 2021 from Doug Baker, Assistant Secretary for Operations of PMRS regarding status update;
- b) Letter dated March 15, 2021 to Ms. Deemer regarding her appointment to serve on the Board of Auditors;
- c) Email dated April 6, 2021 from Township Manager Stanick regarding litter pick up in South Strabane;
- d) Letter dated April 6, 2021 to William Campbell, regarding an ongoing property violation at 69 Booth Road; and
- e) Letter dated April 7, 2021 from Local Government Academy recognizing South Strabane Township in the 2021 Leadership Circle.

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

8. UNFINISHED BUSINESS

8A: Motion to Approve Rezoning request of Meadows Landing Associates, LP and Adopt Findings of Fact and Conclusions of Law, Adopting an Ordinance to Re-Zone the Meadows

Landing Property, Consisting of Parcel IDs 600-001-00-00-0017-18 & 600-00100-00-0017-23, from a C-2 General Commercial District to R-4 Medium-Density Residential District

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 highlighted that 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 continued by noting 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 the Planning Commission recommended the Board conditionally approve the Master Plan for the proposed PRD. He 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 stated the request to re-zone the Property is deemed consistent and comparable with the guidance provided by the Township’s Comprehensive Plan. He then cited the Property is identified in a Mixed-Use area along the Rt. 19 Corridor per the Future Land Use Map. He noted mixed-use is defined as regulations that permit the use of both commercial and residential development. He highlighted that from a land use planning perspective, the proposed residential character of the development will seek to compliment adjacent and nearby commercial areas along the Route 19 and Racetrack Road Corridors. He reported the Applicant has addressed the following points deemed 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 reported that a legal notice was published in the O-R on February 22nd and March 1st advising of the public hearing that took place on March 23rd in addition to a letter dated February 18th mailed to the affected property owner (the Applicant). He continued by reporting that an advertisement of the Public Hearing was also posted along the Applicant’s property per the requirements of the Township’s Code. He cited that the Township Board of Supervisors closed the Public Hearing on the matter and directed Legal Counsel to prepare Findings of Fact and Conclusions of Law for the Zoning Map Amendment. He noted the Board approved of the Applicant’s Master Plan conditioned on the approval of the re-zoning application at their March 23rd Meeting.

Mr. Allan Beechey, Project Manager, thanked the Board for their consideration and Staff for their cooperation and facilitation efforts throughout the re-zoning and Master Plan process. He then

outlined the next steps in front of the Meadows Landing PRD, including securing a Conditional Use.

Mr. Burns moved to approve the re-zoning request of Meadows Landing Associates, LP and the adoption of Findings of Fact and Conclusions of Law, adopting an Ordinance to Re-Zone the Meadows Landing Property, consisting of Parcel IDs 600-001-00-00-0017-18 & 600-00100-00-0017-23, from a C-2 General Commercial District to R-4 Medium-Density Residential District. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

8B: 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 (Tabled)

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

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 reported that 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 noted 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 proposal is subject to a public comment and review by the Independent Regulatory Review Commission (“IRRC”) which is ongoing at this time. He noted the attached resolution, if accepted by the Board, would serve as official public comment for this process.

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 expressed his objection to the Resolution and read aloud a prepared statement citing the dangers of complacency on the topic of Carbon Dioxide emissions. He highlighted that the Board is responsible for ensuring the residents of South Strabane are provided with a safe community in which to live that includes fresh air, free from pollution. He concluded by noting the Resolution protects the bottom line of West Penn Power and other electricity providers rather than the residents of South Strabane Township. In response to Mr. Burns’ comments, Mr. Luketich inquired who would bear the burden of the additional taxes. He continued by stating that a tax on Carbon does not fix the problem, but rather shifts more of a burden on consumers of electricity. A discussion ensued.

Mr. Luketich moved to approve 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. Mr. Murphy seconded the motion. Chair Weber called for a roll call vote. The motion passed on the following roll call vote:

Ayes: Mr. Grego, Mr. Luketich, Mr. Murphy, and Chair Weber

Nays: Mr. Burns

9. NEW BUSINESS

9A: Resolution Honoring the Public Service of Thomas L. Moore

Chair Weber read aloud the following Resolution honoring the Public Service of Mr. Thomas L. Moore.

WHEREAS, after careers as an educator and business owner Thomas “Tom” L. Moore has served the residents of South Strabane Township (“Township”) in a variety of roles; and

WHEREAS, Tom served on the Parks and Recreation Council from 2014 to 2016 and worked to maintain greenspace and build upon recreational amenities for the Township’s residents; and

WHEREAS, Tom served as a member of the Board of Supervisors from 2008 to 2014 during which he served in the capacity of Chairman in 2009 and 2013; and

WHEREAS, through the leadership of Tom Moore, he helped guide the Board of Supervisors during its consideration of many issues of significance which benefited the Township and its residents including the construction of the South Strabane Township Police Department; and

WHEREAS, Tom was re-elected as a member of the Board of Supervisors from 2016 to March of 2021 during which time he served as Chairman in 2017 and 2020; and

WHEREAS, Tom also served on the Victory Center Neighborhood Impact District Board from 2018 to 2020.

NOW THEREFORE, BE IT RESOLVED BY THE SOUTH STRABANE TOWNSHIP BOARD OF SUPERVISORS, OF THE COUNTY OF WASHINGTON AND THE COMMONWEALTH OF PENNSYLVANIA, that:

South Strabane Township hereby recognizes Thomas L. Moore for his many years of service to the Township and its residents; and,

Such recognition and the gratitude of South Strabane Township be publicly expressed to Thomas L. Moore for his service to the community, and that this Resolution be incorporated in the minutes of the Board of Supervisors meeting, and that an executed copy of the Resolution be presented to him as a token of appreciation for his service to South Strabane Township.

Dated this 27th day of April 2021, at South Strabane Township, Washington County, Pennsylvania.

Chair Weber stated that after serving on the Board with Mr. Moore for a number of years he became a close friend. He provided a brief summary of Mr. Moore’s background and accomplishments including his experience as an educator and business owner. He concluded by thanking Mr. Moore for his service to the Township and for being a good friend.

Chair Weber moved to approve a Resolution honoring the Public Service of Thomas L. Moore. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

9B: Resolution Granting Preliminary and Final Minor Subdivision Approval for the Hendricks Subdivision along Country Club Road

Township Manager Stanick reported that the Township is in receipt of an application from Mr. John Hendricks (received February 19, 2021) for Preliminary and Final Minor Subdivision for a Plan along Country Club Road. He stated that Mr. Hendricks is proposing the creation of 2 additional lots deriving from two existing lots (Parcel IDs 600-003-00-00-0034-00 & 600-003-00-00-0035-00) consisting of 3.6041 acres within the R-3 Residential Zoning District.

He continued by reporting that the Township Engineer reviewed the Subdivision Application for completeness and compliance with the Township's Ordinances and recommended Preliminary and Final Subdivision Approval conditionally upon the stated deficiencies being addressed prior to final consideration by the Board of Supervisors. He continued by highlighting that the Planning Commission recommended Preliminary and Final Subdivision Approval of the Hendricks Subdivision along Country Club Road per the Township Engineer's comments and the execution of an Agreement between Mr. Hendricks and the Township concerning a residence no longer being used as a single-family dwelling on proposed Lot No.1. Additionally, he stated that the Applicant has not prepared a maintenance Agreement for the proposed 25-foot maintenance access easement for proposed Lot No. 2. He noted that the Township Solicitor does not recommend approving the subdivision without these agreements between the Township and the Applicant. Noting that was the case, it was recommended the Board table this matter.

Mr. David Housley, of the Harshman CE Group, came before the Board representing Mr. Hendricks. He noted that the Board could grant approval of the subdivision conditional upon the property being vacated within a certain timeframe. He continued by asking for direction from the Township so that Mr. Hendricks' attorney could draft an Agreement accordingly. Township Solicitor Furman recommended the Board direct the matter back to the Planning Commission to allow for further consideration of a vacancy Agreement. He also requested the Applicant waive the time requirements outlined within the Municipal Planning Code (MPC). Mr. Hendricks agreed to a 60-day extension to allow for further consideration of an Agreement.

Mr. Burns moved to remand the matter back to the Planning Commission as the Applicant had not met the Planning Commission's recommendation. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

9C: Motion Approving an Agreement with Mr. and Mrs. Zach and Lyndsay Anderson for a Live Burn Training and Delayed Demolition of a Structure for the Property at 500 Vance Station Road

Township Manager Stanick reported that the Township is in receipt of a request from Zach and Lyndsay Anderson (Property Owner) to construct a new house on their property at 500 Vance Station Road without first demolishing and removing the existing principle structure. He stated that pursuant to Section 245-13C of the Zoning Code, only one single-family dwelling is permitted per lot. He highlighted that the Property Owner is seeking relief from this requirement as a result of allowing the Fire Department to conduct a live burn training in the existing house. He continued

by citing the live burn training will most likely not be completed until late summer and the Property Owner would like to start construction of the new house at this time. He stated that with a live burn being most beneficial to the Fire Department for training purposes, an agreement has been prepared by the Township Solicitor that:

1. Allows the Property Owner to construct a new house on the lot without first removing the existing principle structure;
2. Commits the existing structure to the Fire Department to conduct the live burn training;
3. Ensures the Property Owner conducts the required asbestos abatement of the existing structure;
4. Indemnifies the Property Owner in the event any accidents occur as a result of the training;
5. Indemnifies the Township for any damage to property resulting from the training;
6. Ensures any remaining portion of the existing structure is demolished and debris removed within 60 days after the training concludes; and
7. Requires the Property Owner to reimburse the Township for any costs associated with the drafting of the attached agreement.

Fire Chief Reese noted that live burn activities have been scheduled for September 8th and 15th with the house being raised on September 18th.

Mr. Luketich moved to approve an Agreement with Mr. & Mrs. Zach and Lyndsay Anderson for a live burn training and delayed demolition of a structure for the property at 500 Vance Station Road. Chair Weber seconded the motion. The motion passed on a unanimous voice vote.

9D: Public Hearing for the Consideration of a Conditional Use Application of PA Finance II, LLC Pursuant to Article XIV of the South Strabane Township Zoning Code Concerning the Burkett Manor Planned Residential Development Along Burkett Lane in the R-4 Residential Medium-Density Zoning District

Township Manager Stanick reported that the Township is in receipt of a Conditional Use application (dated March 3, 2021) from PA Finance II, LLC for the Burkett Manor Planned Residential Development (PRD) along Burkett Lane. He highlighted that the Applicant was before the Board seeking approval for a re-zoning application for their 55.6-acre parcel (C-2 to R-4 zoning designation) and Master Plan for the aforementioned PRD. He cited that during a Public Hearing on February 23, 2021 the Board unanimously approved the re-zoning of Parcel ID 600-001-00-00-0048-00 from C-2 General Commercial to R-4 Medium Density Residential per the Township Solicitor and Township Engineer's comments. He continued by reporting that the Board unanimously approved the presented Master Plan. He noted the Board expressed their interest in seeing the Applicant construct a community clubhouse as an amenity within the PRD. He stated that the Developer advised that they would evaluate having a clubhouse, and as a result of their evaluation, they are not moving forward with a community clubhouse.

He reported that per Section 245-47 of the Township Code, a Planned Residential Development is a Conditional Use within the R-4 Zoning District subject to Article XIV. He cited that the Applicant has provided responses to Article XIV within their project narrative highlighting the PRD will include the following:

- 102 age-targeted Patio Homes and 43 age-targeted Townhomes;

- 41% open space (20% required); and
- A neighborhood Park (consisting of 2 pickleball courts, a shelter, and a firepit), 3 parklets with seating, 2 walking trails, and sidewalks on both of the street(s).

He noted the following changes have been made from the approved Master Plan:

- There are now 102 patio homes, the Master Plan had 101;
- There is now 41% open space, the Master Plan had 40%; and
- There are now 3 Parklets with seating, the Master Plan had 2.

He continued by highlighting that during their April 1, 2021 Regular Meeting the Township Planning Commission unanimously recommended approval of the Conditional Use per the Township Engineer's comments and the Condition that the Applicant's Right-of-Way Agreement be reviewed. He stated that in a letter dated April 23, 2021 the Township Engineer reviewed the Conditional Use Application for completeness and compliance with the Township's Zoning Code and recommended approval while noting deficiencies within the application including an unresolved inquiry from Paul Bzard (B+W Insurance, corner of Burkett/Rt. 19) regarding his property once Burkett Lane becomes public.

Township Solicitor Furman read aloud the following exhibits recommending that they be entered into the Public Record:

Exhibit A. – Request for Board Action (cover memo)

Exhibit B. – Burkett Manor Conditional Use Application

Exhibit C. – Burkett Manor Project Narrative – Conditional Use & Tentative PRD

Exhibit D. – Draft Planning Commission Meeting Minutes (April 1, 2021)

Exhibit E. – KLH Engineering, Inc. Review Letter (dated March 31, 2021)

Exhibit F. – Victor Wetzel Associates Response Letter (dated April 1, 2021)

Exhibit G. – KLH Engineering, Inc. Review Letter (dated April 23, 2021)

Exhibit H. – Illustration indicating Proposed Street Dedication

Exhibit I. – Street Lighting Schedule

Exhibit J. – Legal Notice Dated April 15th & April 20th, 2021

Exhibit K. – Public Notice to neighboring property owners residing within 300 feet of the propose CU

Exhibit L. – Public Notice Address List

Exhibit M. – Burkett Manor Tentative PRD Plans (Sheets 1-8)

Exhibit N. – PowerPoint Slides (1-22) – Conditional Use & Preliminary PRD Public Hearing – April, 27, 2021

Exhibit O – Correspondence Received of Washington Investments concerning dedication of Burkett Lane as a Public Street

Mr. Luketich moved to enter exhibits A-O into the Public Record. Mr. Murphy seconded the motion. The motion passed on a unanimous voice vote.

Mr. Steven Victor of Victor Wetzel Associates came before the Board representing the Applicant, PA Finance II, LLC. He discussed the selection of homes which will be constructed as a Heartland Homes product. He proceeded to outline the recreational amenities within the PRD noting the various emergency access points and connectivity through a pedestrian trail system. He then noted an Agreement with Washington Investments concerning the dedication of Burkett Lane as a Public Street. He highlighted that if the road does not meet the Township's standards in its current state that it will be repaired. He then cited the street lighting plan which was recently provided to the Township and reviewed by the Township Engineer. He then noted that the targeted housing stock is not anticipated to increase the enrollment within Trinity School District.

Mr. Luketich inquired regarding the existing vegetation and future landscaping within the PRD. Mr. Victor stated that the reforestation project would take approximately 10 years to fully mature. He noted that existing vegetation would be preserved where possible. Mr. Luketich then inquired regarding the ownership and maintenance of the street lights. Mr. Victor stated the streets would be Public and the HOA would own the street lights. Lastly, Mr. Luketich inquired regarding the energy efficiency of the new housing. Mr. Victor stated that a formal energy consumption breakdown could be provided by Heartland Homes. Mr. Murphy inquired regarding the findings of the traffic study noting that the intersection of Racetrack Road and Route 19 is prone to traffic backups. Mr. Victor reported that the traffic study has been reviewed by the Township Engineer and PennDOT. He highlighted that no formal improvements were recommended.

Mr. Weber inquired regarding a clubhouse which could be used for HOA meetings and other public gatherings. Mr. Victor stated that Heartland Homes carefully considered the inclusion of a clubhouse but after conducting an analysis based upon the targeted demographic decided against it. Mr. Victor highlighted that the three Burkett Manor HOAs are expected to rent meeting space from the nearby hotels along Racetrack Road for their annual meetings. A discussion ensued. Mr. Weber inquired of the capacity for the proposed outdoor gazebo. Mr. Victor stated that the gazebo would accommodate 12 people. Mr. Weber expressed his disappointment with the Developer's decision not to construct a clubhouse. He noted that the shelter should accommodate at least 75 people to allow for community gatherings. Mr. Victor stated the Developer would be happy to consider a larger outdoor pavilion.

Following a comment concerning the anticipated increase in traffic, Township Solicitor Furman stated that the Traffic Study should be included as an exhibit in any future Public Hearing. Mr. David Posner, representing Itbrokeus LLC came before the Board to outline his client's concerns regarding the proposed PRD, specifically regarding access off of Burkett Lane. He noted his client owns B&W Insurance which is located adjacent to Route 19 and Burkett Lane. He cited the Applicant has not included his client in discussions concerning potential right-of-way/easement requirements. He noted for the record that his client is seeking clarification to ensure their property is protected against any future PennDOT/Township requirements regarding Burkett Lane. Mr. Steven Victor noted the encroachment concerns expressed by Mr. Bzard and his attorney have been reviewed and addressed using an alta survey of the property.

After some discussion Mr. Murphy moved to continue the Public Hearing. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

9E: Motion Accepting the Resignation of Patrick Smider and Associates and Appointing Sweat Law Offices to Serve as Zoning Hearing Board Solicitor through December 31, 2021

Township Manager Stanick reported that the Township is in receipt of a resignation from Pat Smider and Associates from serving as the Township's Zoning Hearing Board (ZHB) Solicitor. He continued by citing that at the direction of the Board of Supervisors, a Request for Qualifications (RFQ) was prepared, the position advertised and interviews occurred on Monday, April 26th with the members of the ZHB. He highlighted that the Township received proposals from the following:

David Montgomery Law Firm, LLC;
Sweat Law Offices;
Colbert Law; and
Taczak Law Office, LLC

He recommended the Board first accept the resignation of Pat Smider and Associates (effective immediately) and then appoint Sweat Law Offices as ZHB Solicitor for a term ending December 31, 2021.

Mr. Luketich moved to accept the resignation of Patrick Smider and Associates and appoint Sweat Law Office to serve as Zoning Hearing Board Solicitor through December 31, 2021. Mr. Murphy seconded the motion. The motion passed on a unanimous voice vote:

9F: Motion Allocating Additional Funds in the Amount of \$5,650 for the Billy Bell Park Playground Project

Township Manager Stanick reported that the Township is currently preparing for the purchase and installation of the new Billy Bell Park Playground equipment and the upgrades to the handicapped parking area. He noted that the Township was awarded a 50% matching grant through the DCNR's Community Parks and Recreation Grant Program in 2020. He highlighted that the Township's 2021 Final Budget allocates \$46,100 for this project. He continued by stating the cost for the equipment and installation of the new playground has increased to \$94,122 as it is being ordered this year. He continued by reporting that the vendor (Co-Starts approved) has advised that a material surcharge is being applied in the amount of \$3,714 due to COVID-19 issues and supply chain disruption. He cited that if the material is not ordered by May 14th, the Township may incur an additional surcharge on the equipment. He stated that to avoid any additional increase in costs, it is recommended the Board approve an additional \$5,636 for this project. He highlighted the Township is able to absorb this through contingency that is built into the 2021 Final Budget.

Mr. Murphy moved to allocate additional funds in the amount of \$5,650 for the Billy Bell Park Playground Project. Mr. Luketich seconded the motion. The motion passed on the following roll call vote.

Ayes: Mr. Burns, Mr. Grego, Mr. Luketich, Mr. Murphy, and Chair Weber

Nays: None

9G: Motion Awarding Lowest Qualified Bid for Public Works Materials and Fuel

Township Manager Stanick reported that 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 \$21,300. He highlighted that bid advertisements for seal coating, stone, asphalt, gasoline and diesel fuel were advertised in the March April 1 and April 4, 2021 editions of the Observer-Reporter. He cited that at 1:00 p.m. on April 16th bids were received and opened at a public meeting in the Municipal Building Meeting Room.

He reported the following: The lowest acceptable bid for seal coating came from Youngblood Paving, Inc. at \$1.26/sq. yd. The lowest acceptable bid for stone came from Coolspring Stone Supply, Inc. (#1, #57 and R-4) and Hanson (R-6). The asphalt bid was won by Golden Eagle Construction, Co. The lowest acceptable bid for diesel came from Kehm Oil, Co. at \$1.9424/gal delivered. The tally sheets are attached for comparison. As no acceptable bid was received for gasoline or #2A limestone 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.

He continued by recommending the following motion: Motion to accept the bids for:

- In-place seal coating from Youngblood Paving in the amount of \$1.26/sq. yd.;
- #1 stone in the amount of \$21.75, #57 stone in the amount of \$22.50 and R-4 riprap in the amount of \$22.00 from Coolspring Stone Supply Inc.;
- R-6 riprap from Hanson in the amount of \$30.55;
- 9.5 mm Superpave in the amount of \$57.50, 19mm Superpave in the amount of \$51.50 and 25mm Superpave in the amount of \$50.50 from Golden Eagle Construction, Co.; and
- Diesel fuel (delivered) in the amount of \$1.9424/gallon from Kehm Oil Co.

Mr. Luketich moved to award: the in-place seal coating to Youngblood Paving in the amount of \$1.26/sq. yd., the #1 stone in the amount of \$21.75, #57 stone in the amount of \$22.50 and R-4 riprap in the amount of \$22.00 to Coolspring Stone Supply Inc.; the R-6 riprap to Hanson in the amount of \$30.55; the 9.5 mm Superpave in the amount of \$57.50, 19mm Superpave in the amount of \$51.50 and 25mm Superpave in the amount of \$50.50 from Golden Eagle Construction, Co.; and Diesel fuel (delivered) in the amount of \$1.9424/gallon to Kehm Oil Co. Mr. Murphy seconded the motion. The motion passed on a unanimous voice vote.

9H: Motion Purchasing a Fire Alarm System Panel and Monitoring Services for the Municipal Building

Township Manager Stanick presented for the Board's consideration is a request to purchase a fire alarm system panel and monitoring services for the Municipal Building. He noted that earlier this month one of the motors that power the roof top units malfunctioned generating a large amount of smoke in the rear of the building. He highlighted that luckily this occurred during the day when Staff was present. He stated that following this event, Staff solicited quotes from three vendors for the installation of a fire alarm panel with monitoring services from the following:

COMPANY	INSTALLATION	MONITORING
Electronic Alarm Systems	\$5,450	Year 1 free \$404 annually
Guardian Protection	\$3,855	\$840 annually
Advanced Fire Systems	\$12,451.50	\$804 annually

He reported that the installation costs include: fire alarm control panel, backup batteries, smoke detectors, heat detectors, manual pull stations, horn/strobe lights (interior & exterior), two panic buttons and cellular connection. He noted that Electronic Alarm Systems is the Township's current vendor for monitoring of the Police Station and the Public Works Facility. He stated that monitoring both of these facilities is \$645 annually. Fire Chief Reese recommended the Board approve the quote from Electronic Alarm Systems given the Township's established relationship with the company and the more competitive monitoring cost after three years of service.

Fire Chief Reese noted that upgrades to the Municipal Building's fire safety infrastructure are long overdue. He highlighted the files and documentation within the building are irreplaceable and need protected accordingly.

Mr. Luketich moved to purchase a fire alarm system panel and monitoring services for the Municipal Building through Electronic Alarm Systems. Mr. Murphy seconded the motion. The motion passed on a unanimous voice vote.

9I: Motion Terminating the Service Agreement with Roadbotics

Township Manager Stanick presented for the Board's consideration a motion to terminate the services received from Roadbotics, Inc. He noted the Township engaged with Roadbotics in early 2019 to annually inventory and assess the condition of Township roads. He cited the benefit to the Township in using this tool was to assess and monitor, based on objective data, roadway conditions and improve planning for capital costs associated with roadway maintenance. He reported that the cost for this service was \$4,640/year for five years.

He continued by highlighting that Roadbotics has since changed the method of data collection and can no longer dedicate personnel to collect the data required for the program and is now requiring the Township to film the roadways. He stated that as a result of this change Roadbotics is offering a 15% discount. He also noted that data collection in 2020 revealed some short comings with this new technology such as inconsistencies with the rating system (improved road conditions when no work was performed), as well as duplicate mistakes from the previous year (filming roads that are not maintained by the Township).

He then reported that after polling the Board prior to the meeting, the Township Manager was authorized to terminate the agreement with Roadbotics due the aforementioned issues.

Mr. Luketich moved to formally terminate the Service Agreement with Roadbotics. Mr. Murphy seconded the motion. The motion passed on a unanimous voice vote.

9J: Motion Accepting the Resignation of Joseph Joscsak

Township Manager Stanick presented for the Board's consideration a motion to accept the resignation of Police Officer Joseph Joscsak.

Mr. Luketich moved to accept the resignation of Police Officer Joseph Joscak effective immediately. Mr. Murphy seconded the motion. The motion passed on a unanimous voice vote.

9K: Motion Appointing a Full-Time Police Officer

Police Chief Hilk reported that in response to a recent vacancy in the Police Department, it is recommended the Board of Supervisors conditionally appoint Connor Cooley as a full-time Police Officer upon the completion of a: i) physical fitness assessment, ii) physical exam and iii) psychological examination.

Mr. Murphy moved to appoint Connor Cooley as a Full-Time Police Officer conditional on Chief Hilk's comments. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

9L: Resolution Authorizing Signatories with Huntington Bank

Township Manager Stanick reported that with the appointment of Russell Grego as Township Supervisor, it is requested the Board approve the attached resolution from Huntington Bank to certify signatures for the signing of checks. He noted that any change to signatures requires certification of all signatories.

Mr. Luketich moved to approve a Resolution authorizing signatories with Huntington Bank. Mr. Murphy seconded the motion. The motion passed on a unanimous voice.

ADJOURNMENT

Mr. Luketich moved to adjourn the meeting. Mr. Grego seconded the motion. The motion passed on a unanimous voice vote and the meeting adjourned at 8:48 p.m.

Respectfully submitted,

Brandon J. Stanick
Township Manager