

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

September 27, 2022

APPROVED MEETING MINUTES

1. CALL TO ORDER

The September 27, 2022 Regular Meeting of the South Strabane Township Board of Supervisors (“Board”) came to order at 7:00 p.m. in the 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.
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Absent	None
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Also Present	Township Manager Brandon Stanick; Assistant to the Township Manager Jim Sutter; Police Chief Drew Hilk; Fire Chief Jordan Cramer; Township Solicitor Dennis Makel; Township Engineer Kevin Creagh; and Stenographer Sheila Rozanc.
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2. PLEDGE OF ALLEGIANCE

Chair Weber lead the Pledge of Allegiance.

Chair Weber reported the Board met in Executive Session on September 14, September 20 and September 27, 2022 to discuss personnel and litigation.

3. PUBLIC COMMENT

The Board allocates a period of time during this item for those individuals who would like the opportunity to address the Board on any matter. Each person addressing the Board of Supervisors is asked to limit their comments to a maximum of three (3) minutes.

Marcia Deeb, resident on Fox Drive, thanked the Board for the opportunity to speak. She stated she regretfully missed the previous Board meeting and had questions regarding the Cracker Barrel Liquor License transfer being denied. She asked what criteria was used to deny the requested transfer. She inquired on the data Cracker Barrel presented. Ms. Deeb stated she believes the action may have been better received with more discussion and noted it had the appearance of a moral decision. Ms. Deeb noted the agenda items for the current meeting pertaining to Medical Marijuana and asked if data will be provided. She stated there is community interest in having a discussion. Ms. Deeb asked what the criteria for hiring a new Finance Director is and inquired how the position differs from a Business Manager.

Judy Panasik, resident on Green Crescent Drive, stated she is not against having a Medical Marijuana dispensary in the Township but expressed her opinion no discussion has occurred before

tonight's Public Hearing. She expressed the opinion the item was being "pushed through". She expressed concern regarding Medical Marijuana growing/processing operations occurring in the Agricultural Zoning District, noting the similar use is only present in Industrial Zoning Districts in Peters and North Strabane Townships.

4. CONSIDERATION OF MEETING MINUTES

Mr. Burns moved to approve the Board of Supervisors Regular Meeting Minutes from August 23, 2022 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: \$ 131,829.70 (pay date of August 26, 2022)
- Payroll: \$ 129,722.84 (pay date of September 9, 2022)
- Payroll: \$ 135,752.57 (pay date of September 23, 2022)
- General Fund: \$ 424,533.88
- Liquid Fuels Fund: \$ 8,223.36
- Escrow: \$ 2,425.77
- Sewage Enterprise: \$ 13,914.80
- Total Expenditure: \$ 846,402.92**
- Overtime costs for the period include:
 - Police: \$ 3,094.48
 - Fire: \$ 611.91
 - Public Works \$ 0.00
 - **Total OT: \$ 3,706.39** (pay date of August 26, 2022)
 - Police: \$ 4,661.56
 - Fire: \$ 488.46
 - Public Works \$ 117.72
 - **Total OT: \$ 5,267.74** (pay date of September 9, 2022)
 - Police: \$ 2,945.25
 - Fire: \$ 634.63
 - Public Works \$ 0.00
 - **Total OT: \$ 3,579.88** (pay date of September 23, 2022)

General Fund:

- Municipal Employees Insurance Trust (September Coverage) \$ 52,169.00
- Municipal Risk Management (1st of 4 installments) \$ 64,572.84
- 2022 Fire Relief Fund Act 205 \$ 55,143.08
- SWIF (VFD Workers Comp) \$ 27,658.00

Mr. Luketich moved to approve the payroll for the periods August 7 through August 20, 2022, August 21 through September 3, 2022 and September 4 through September 17, 2022 and Bills for the period August 20, 2022 through September 23, 2022. Mr. Murphy seconded the motion. The motion passed on a unanimous voice vote.

6. ANNOUNCEMENTS AND RECOGNITION

Township Manager requested the Board move to add the following items to the agenda:

- 9P: Motion Waiving the Park Rental Fee for the Annual Pancake Reunion;
- 9Q: Motion Authorizing a Firefighter Recruitment Process; and
- 9R: Motion Rescinding the Vote on Agenda Item 9A from the August 23, 2022 Regular Meeting and Consideration of a Resolution Approving a Transfer of Restaurant Liquor License No. 20979 from Victory Hill Gun Club, Inc. of Carroll Township to CBOCS Pennsylvania, LLC (d/b/a/ Cracker Barrel Old Country Store) for a Restaurant located at 1008 Trinity Circle, Washington, PA 153001.

Mr. Burns moved to add Items 9P, 9Q and 9R to the Agenda. Mr. Murphy seconded the motion. The motion passed on a unanimous voice vote.

7. TOWNSHIP REPORTS

Municipal Separate Storm Sewer System (MS4) Report

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 minutes.

There were no comments from the Public.

Township Manager's Report

Township Manager Brandon Stanick reported the Secretary/Treasurer Report has been submitted for the Board's information.

Secretary/Treasurer's Report

The following was transmitted to the Board through the Secretary/Treasurer's Report:

Minutes and Agendas:

- a) Green Team Meeting Notes – August 2, 2022;
- b) Planning Commission Meeting Minutes – August 4, 2022;
- c) Zoning Hearing Board Meeting Minutes – August 8, 2022;
- d) Planning Commission Meeting Agenda – September 1, 2022;
- e) Zoning Hearing Board Meeting Agenda – September 12, 2022; and
- f) Green Team Meeting Agenda – September 22, 2022.

Reports and Publications:

- a) Finance Report – August 2022;
- b) Fire Department Report – August 2022;
- c) Building Department/Code Enforcement Report – August 2022;
- d) Police Department Report – August 2022;
- e) Tax Collector's Report & Interim Collection Only – August 2022;
- f) Animal Control Officer's Report – August 2022;
- g) Township Engineer's Report – September 27, 2022;
- h) OR Public Notice, Pankratos and Medical Marijuana Text Amend. and Cond. Use – August 18 & 25, 2022;
- i) *WEWJA Financial Statement for the fiscal quarter – June 30, 2022;*

- j) PSATS News Bulletin – September 2022;
- k) DODGE Data & Analytics – September 2022;
- l) PennDOT District 12 Progress Report – Volume 5, Issue 9;
- m) Columbia Gas, Pipelines & Public Safety – September 2022; and
- n) PennDOT Notice of Estimated Allocation Municipal Liquid Fuels and Turnback – September 2022.

Correspondence:

- a) Email dated September 26, 2022 from Oren Spiegler to South Strabane Township regarding the liquor license for Cracker Barrel;
- b) Letter dated August 29, 2022 from Brandon Stanick, regarding a miscommunication with WEWJA;
- c) Letter (w/attachments) dated August 30, 2022 from Diane L. Ambrose, Director of Citizens Library, regarding continued support to the library;
- d) Email dated August 31, 2022 from DCMD, regarding Paris Szalla's 2020 Census Count Question Resolution;
- e) Note dated September 1, 2022 from James Proudfit regarding the paving of Cameron Road; and
- f) Letter dated September 6, 2022 from PA DCNR regarding denied grant for Dog Park at Community Park.

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

Township Solicitor's Report

Solicitor Dennis Makel reported his office has been working on matters related to land use, litigation and various other matters.

Township Engineer's Report

Township Engineer Kevin Creagh reported on the following activities:

Community Park 454-08

- KLH completed the as-builts of the forcemain for potential adoption by WEWJA.

Strabane Manor Phase 4

- KLH completed a walkthrough with Maronda Homes ahead of the final wearing course layer being placed. There are some areas of base repair that need repaired prior to the final course, which Maronda was made aware of in a follow-up email.

Burkett Manor 454-03-120

- KLH has an inspector on-site ensuring that the storm, roads, and sanitary are being built to the Township's standards and the approved plans. Time spent on sanitary work is being billed separately to WEWJA.

Developer Reviews

- KLH completed the review of the Kurtz Consolidation Plan for the Planning Commission.

There were no questions from the Board regarding the Township Engineer's Report.

8. UNFINISHED BUSINESS

8A: Motion Approving a Boundary Change between the City of Washington and South Strabane Township

This item remained on the table.

9. NEW BUSINESS

9A: Public Hearing for the Consideration of a Text Amendment to the Zoning Code establishing "Medical Marijuana Dispensary" as a Conditional Use in the C-2 Zoning District and "Medical Marijuana Grower/Processor" as a Conditional Use in the I-1 and A-1 Zoning Districts

AND

9B: Public Hearing for a Conditional Use Application from Laurel Harvest Labs, LLC (d/b/a/ Sunnyside) to operate a "Medical Marijuana Dispensary" at 360 Washington Road in the C-2 Zoning District

Mr. Stanick provided an overview of the items and reported on March 2, 2022, the Township received an inquiry from Kaplin Stewart, counsel for Laurel Harvest Labs, LLC (subsidiary for Cresco Labs) regarding their interest in opening a medical marijuana dispensary at 360 Washington Road. At its Non-Legislative meeting on May 10, 2022, following a discussion of the matter, it was the consensus of the Board to have Staff work with legal counsel to draft an ordinance regulating these facilities. At its September 1, 2022 meeting, the Planning Commission unanimously recommended the Board adopt the draft ordinance.

The ordinance establishes a process and standards for the establishment, construction and operations of medical marijuana dispensaries and medical marijuana grower/processors pursuant to the Medical Marijuana Act and to allow for the integration of this industry while providing for the protection of the Public's health, safety and general welfare. The Medical Marijuana Ordinance was reviewed by the Applicant, Planning Commission and Staff and accomplishes the following:

- Establishment of definitions;
- Establishes "Medical Marijuana Dispensary" as a Conditional Use in the C-2 District;
- Establishes "Medical Marijuana Grower/Processor" as a Conditional Use in the A-1/I-1 Districts;
- Establishes standards and criteria; and
- Establishes off-street parking and loading requirements.

Mr. Makel read the following items into the Public Record:

Exhibit A – Request for Board Action;

Exhibit B – Draft Ordinance;

Exhibit C – May 10, 2022 Board of Supervisors Non-legislative Meeting Minutes;

Exhibit D – Planning Commission Staff Memorandum dated August 26, 2022;

Exhibit E – September 6, 2022 Email communication from Police Chief Drew Hilk;

Exhibit F – Letter to Neighboring Property Owners dated September 15, 2022; and
Exhibit G – Proof of Publication in September 13 and September 20, 2022 editions of the
Observer-Reporter.

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

Marc Kaplin, legal counsel for the Applicant, appearing over Zoom, provided an overview of the request. Mr. Kaplin stated his Applicant is proposing to operate a “Medical Marijuana Dispensary” out of two currently unoccupied spaces in a multi-tenant commercial building, consisting of approximately 3,390 square feet. Mr. Kaplin stated they are present to apply for Conditional Use approval pursuant to the standards and criteria outlined in the Text Amendment, which is to be considered concurrently. Mr. Kaplin stated they have provided a package of exhibits and requested they be entered into the Public Record as well. Mr. Kaplin introduced Christian Ficara, also appearing over Zoom, Vice President of Government Affairs for Cresco Labs, the parent company of Laurel Harvest Labs, LLC.

Stenographer Sheila Rozanc swore in Christian Ficara at this time.

Mr. Ficara presented an overview of the proposed operations. He stated Sunnyside is the retail brand for their operations. He presented photographs showing the interior of existing dispensaries and described the images as showing warm, bright and well-lit stores. Mr. Ficara went over the site plan and stated they will be able to meet the off-street parking requirements. Mr. Ficara displayed the proposed floor plan, highlighting the secure vestibule area where patients must show their medical marijuana card prior to being admitted.

Mr. Ficara stated, pursuant to State regulations, there will be no unpackaged cannabis products, consumption on-site, or individuals under the age of 18 without a guardian or caregiver. He stated hours of operation would be Sunday through Thursday from 9:00 a.m. through 6:00 p.m. and Friday through Sunday from 9:00 a.m. through 7:00 p.m. and closed on certain holidays. Mr. Ficara described the security protocols proposed and stated they had already met with Police Chief Drew Hilk to review the security of the site.

Mr. Ficara introduced Joshua Haydo, also appearing over Zoom, from Wooster and Associates, who had conducted the traffic study for the Applicant. Ms. Rozanc swore in Joshua Haydo at this time.

Mr. Haydo stated the relative difference in trips generated between the proposed use and another use is the only salient issue in respect to traffic. Mr. Haydo displayed the data showing traffic generation for the proposed use will be higher than another use, but does not meet the threshold for additional traffic studies.

Mr. Ficara discussed the Applicant’s community engagement efforts, stating they will be hiring about 20 new individuals, all from the area, and they will partner with local contractors for any ancillary business opportunities. He stated they also reach out to local Chambers of Commerce, fire and police chiefs and philanthropic organizations in any community they enter to see how they can be involved in community efforts.

Mr. Makel read the following items, provided by the Applicant, into the Public Record:

Exhibit A-1 – Conditional Use Application;
Exhibit B-1 – Addendum to Conditional Use Application;
Exhibit C-1 – Information on Structure;
Exhibit D-1 – Presentation from Cresco Labs;
Exhibit E-1 – Additional Information on Sunnyside;
Exhibit F-1 – Medical Marijuana Dispensary Application to the State;
Exhibit G-1 – Letter to Neighboring Property Owners dated September 15, 2022; and
Exhibit H-1 – Proof of Publication in September 13 and September 20, 2022 editions of the Observer-Reporter.

Mr. Burns moved to enter Exhibits A-1-H-1 into the Public Record. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

A discussion ensued if there were any submitted exhibits that had not yet been entered into the Public Record. Mr. Makel read the following item into the Public Record:

Exhibit J-1 – Zoning Map.

Mr. Burns moved to enter Exhibit J-1 into the Public Record. Mr. Murphy seconded the motion. The motion passed on a unanimous voice vote.

Mr. Burns asked the Applicant to provide detail on their customer base and to describe the purchasing process. Mr. Ficara stated they are medical patients registered by the State Department of Health (“DOH”). He then invited Nicole Moll, also appearing over Zoom, the Head of Retail for the Applicant, to respond to this request.

Ms. Rozanc swore in Nicole Moll at this time.

Ms. Moll described the rules and regulations established in Pennsylvania. She stated all customers must be a medical patient with one of 23 preexisting conditions and only certain doctors can certify a prospective patient. If they qualify, a patient can apply for a medical marijuana card, which is similar to an identification card. Ms. Moll stated these cards are only active for one year and patients need to re-certify to renew. She stated individuals cannot purchase product without a card and customers can only purchase up to a 90-day supply at one time.

Mr. Murphy inquired on the security of the facility. Ms. Moll stated it is monitored 24 hours and the live footage must be watched by personnel during the hours they are open. She stated security personnel will not even let an individual into the building unless they are patient and can show their card. Mr. Luketich inquired on the source of their products. Ms. Moll stated it is all grown in Pennsylvania in several different locations. Mr. Luketich inquired of the method of consumption. Ms. Moll stated smoking is not approved in Pennsylvania and all products are in pill, capsule or tincture forms. Ms. Moll stated their product is not covered by insurance at this time in response to a question from Mr. Luketich.

Ms. Rozanc swore in Judy Panasik, resident on Green Crescent Drive, at this time.

Ms. Panasik expressed her disappointment with this item not mentioned at the August non-legislative meeting. Ms. Panasik asked if the Township had consulted other municipalities prior to drafting the ordinance. She expressed concern regarding the permitted zoning districts for “Medical Marijuana Grower/Processors”, as the I-1 and A-1 Zoning Districts comprise a large portion of the Township. Ms. Panasik expressed concern regarding the safety and security of these facilities. She expressed her opinion the C-2 Zoning District is not appropriate for these facilities and suggested the C-3 Zoning District instead. Ms. Panasik asked what the quality of pay and benefits will be for the employees of the store.

Mr. Ficara noted they did not discuss the elements related to grower/processor facilities, as they are proposing a dispensary in the Township. He stated employees receive above average wages with full benefits and unlimited paid time off. He reiterated customers are medical patients, many of whom are cancer patients and individuals with Post-Traumatic Stress Disorder, arthritis or Parkinson’s Disease. Regarding their inability to accept insurance, Mr. Ficara noted they are doing what they can, but it is a matter that must be addressed by the Federal government.

Marcia Deeb, resident on Fox Drive, was sworn in at this time.

Ms. Deeb asked Chief Hilk if he was comfortable with the security measures the Applicant has proposed. Chief Hilk stated he had gone over the security plan with the Applicant and noted it was long and extensive and requires DOH approval. He stated he is comfortable with the plan they had presented. Ms. Deeb asked if there were any negatives to the plan. Chief Hilk stated though he has no experience working with these facilities, there was nothing to suggest there are any issues.

Mr. Luketich inquired on why the additional security measures are required when compared with a traditional pharmacy. Ms. Moll noted the store will operate very similarly to a traditional pharmacy, but she is not familiar with the regulations for those facilities. She noted any adverse reactions must also be reported to the DOH and noted there were zero this year and only five total in the past three years. Mr. Ficara reiterated a traditional pharmacy does have less robust security regulations than what is required. He stated they do track incidents and there have been little to none in Pennsylvania. Mr. Luketich asked if they have ever had any break-ins. Ms. Moll stated they had one at a location in the Philadelphia area that occurred during a riot.

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

Mr. Luketich moved to approve the Text Amendment to the Zoning Code establishing “Medical Marijuana Dispensary” as a Conditional Use in the C-2 Zoning District and “Medical Marijuana Grower/Processor” as a Conditional Use in the I-1 and A-1 Zoning Districts. Mr. Burns seconded the motion. The motion passed on a unanimous voice vote.

Mr. Luketich moved to approve the Conditional Use Application from Laurel Harvest Labs, LLC (d/b/a/ Sunnyside) to operate a “Medical Marijuana Dispensary” at 360 Washington Road in the C-2 Zoning District. Mr. Burns seconded the motion. The motion passed on a unanimous voice vote.

9C: Public Hearing for a Conditional Use Application from Pankratos, Inc. to operate a Juvenile Personal Care Home located at 1961 N. Main Street in the I-1 Zoning District

Mr. Stanick reported on May 14, 2021 the Township received an application for Conditional Use Approval from Pankratos, Inc. (“Applicant”) to operate a Juvenile Personal Care Home at 1961 N. Main Street (“Property”) owned by KMG Properties, Inc. (“Property Owner”) in the I-1 Industrial Zoning District.

Following approval of two variances, the Applicant began consideration of their Conditional Use Application when a Public Hearing commenced at the July 1, 2021 Planning Commission meeting. Consideration was tabled to allow then Fire Chief Reese to conduct an accessibility evaluation. Chief Reese reported on unlivable conditions at the August 5, 2021 meeting and consideration was tabled to allow the Applicant to obtain a structural and electrical evaluation. At the March 3, 2022 meeting, the Applicant testified portions of the structure need to be demolished and they intend to undertake this work. The Planning Commission subsequently moved to continue the Public Hearing for six months until September 2022 subject to the Applicant waiving all time requirements.

Communication from the Applicant has been infrequent and to date there have been no indications that action is imminent. Additionally, Building Official Scott Heckman has expressed concern regarding worsening conditions of the Property. Given the pending Conditional Use application, no action has been pursued to date. The Planning Commission considered the matter at their September 1, 2022 meeting and unanimously voted to recommend denial of the request. It is recommended the Board vote to deny the Applicant’s request. This will close the application file, preventing a deemed approval and allowing the Township to be more proactive in correcting the Property’s deficiencies.

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

Mr. Makel read the following items into the Public Record:

- Exhibit A – Request for Board Action;
- Exhibit B – Staff memorandum to Planning Commission dated August 26, 2022;
- Exhibit C – Property assessment from Hayden’s General Contracting;
- Exhibit D – Email communication from Mr. Stanick to Applicant;
- Exhibit E – Email communication between Assistant to the Township Manager Jim Sutter and Ryan Lemke, legal counsel for the Applicant;
- Exhibit F – Letter to Neighboring Property Owners dated September 15, 2022; and
- Exhibit G – Proof of Publication in September 13 and September 20, 2022 editions of the Observer-Reporter.

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

There was no representative of the Applicant in attendance.

There were no comments from the Board.

There were no comments from the Public.

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

Mr. Burns moved to deny the Conditional Use Application from Pankratos, Inc. to operate a Juvenile Personal Care Home located at 1961 N. Main Street in the I-1 Zoning District. Mr. Murhpy seconded the motion. The motion passed on a unanimous voice vote.

9D: Consideration of an Application for Preliminary and Final Minor Subdivision Approval from Bruce R. Kurtz for Consolidation Plan, Eastpointe Lots 25 & 35 located at 217 Tara Drive (Parcel Nos. 600-005-09-00-0025-00 & 600-005-09-00-0035-00) in the R-1 Zoning District

Mr. Stanick reported on August 2, 2022 the Township received an application for Preliminary and Final Minor Subdivision approval from Bruce R. Kurtz (“Applicant”) for the Consolidation Plan, Eastpointe Lots 25 & 35 (“Subdivision”) located at 217 Tara Drive, further identified as Parcel Nos. 600-005-09-00-0025-00 and 600-005-09-00-0035-00 (“Property”) in the R-1 Zoning District.

The Property consists of two lots (“Lot 25” & “Lot 35”) in the Eastpointe Residential Development. Lot 25 is approximately 0.34 acres in size and has access to Tara Drive. It is currently improved by a two-story single family dwelling (“Structure”), concrete driveway, patio and swimming pool. The Structure encroaches into the front yard, but a variance was previously granted as part of the overall subdivision plan. Lot 35 is approximately 0.39 acres in size and is adjacent, but does not have access to, East Beau Street. Lot 35 is vacant. Both lots are owned by the Applicant. The Applicant wishes to consolidate Lot 25 and Lot 35 into one parcel (“Lot 2535”) approximately 0.73 acres in size. Lot 2535 will have frontage on both Tara Drive and East Beau Street, but will only have access to the former.

Staff received an engineering review letter from KLH Engineers dated August 26, 2022 which noted several deficiencies, but recommended approval subject to these comments being addressed. The Planning Commission reviewed the application at its September 1, 2022 meeting and unanimously recommended approval subject to the engineering comments. Staff received an updated plan from the Applicant which addresses those comments and is attached.

Mr. Burns moved to approve the application for Preliminary and Final Minor Subdivision Approval from Bruce R. Kurtz for Consolidation Plan, Eastpointe Lots 25 & 35 located at 217 Tara Drive (Parcel Nos. 600-005-09-00-0025-00 & 600-005-09-00-0035-00) in the R-1 Zoning District. Mr. Murphy seconded the motion. The motion passed on a unanimous voice vote.

9E: Motion Accepting the Annual Municipal Separate Storm Sewer System (MS4) Annual Report and Presentation

Mr. Stanick introduced Sam Carroll of the Harshman CE Group, LLC, the consulting engineer for the Township’s MS4 Program. Mr. Carroll gave a presentation outlining the basics of the MS4 Program as a part of the Township’s MS4 Permit requirement. Mr. Carroll’s presentation included

an overview of all six Minimum Control Measures (“MCM”) for the permit, a summary of the Township’s Pollution Reduction Plan and a summary of the Township’s annual MS4 reporting.

Chair Weber inquired on the cleanliness of the watercourses in the Township. Mr. Carroll stated he can provide more information regarding the western side of the Township as he resides in this area. He noted Chartiers Creek is of inadequate quality, but is improving. He stated there are many legacy impacts affecting the quality of the watercourses, but there are areas beautifully maintained.

Mr. Murphy moved to accept the annual Municipal Separate Storm Sewer System (MS4) Annual Report and Presentation. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

9F: Motion Accepting a Proposal from KLH Engineers, Inc. to Update the Township’s Act 537 Sewage Facilities Plan

Mr. Stanick reported the Board previously approved a Resolution Requesting a Sewage Facilities Planning Grant to update the Township’s ACT 537 Sewage Facility Plan (“Plan”) at its meeting on March 22, 2022. The Township was not awarded the 50/50 matching grant; however, the update to the Plan is needed as it was last updated by KLH in 1998. Presented for the Board’s consideration is a proposal to update the Plan for an amount not to exceed \$25,000. Additionally, once the update is complete, the Plan will be shared with the Washington-East Washington Joint Authority to assist in its update to a Regional ACT 537 Plan. As reported previously, this project will be budgeted for 2023. Mr. Creagh stated it can be thought of as a Comprehensive Plan for sewage systems.

Mr. Burns moved to accept a proposal from KLH Engineers, Inc. to update the Township’s Act 537 Sewage Facilities Plan. Mr. Murphy seconded the motion. The motion passed on a unanimous voice vote.

9G: Motion Appointing a Finance Director

Mr. Stanick reported as a result of a vacancy in the Finance/HR Analyst position, the Township commenced a recruitment process on August 12th seeking qualified candidates to fill a Finance Director position. The position was posted on the Township’s website and job boards with the PA Municipal League, Western Association of PA Municipal Management and Indeed.com. The Township’s Interview Committee, comprised of Department Heads, interviewed five out of 19 applicants. Upon the Committee’s recommendation, and an interview with the Board of Supervisors, Ms. Janna Luton was recommended to fill the position with a starting salary of \$75,000. Ms. Luton comes to the Township from the Washington County Redevelopment Authority with a strong background in public sector accounting, budgeting, reporting and audit support.

Mr. Murphy moved to appoint Janna Luton as Finance Director at a starting salary of \$75,000. Mr. Grego seconded the motion. The motion passed on a unanimous voice vote.

9H: Resolution Authorizing the Township Manager to Enter into an Agreement with the Pennsylvania Department of Transportation (PennDOT) to Provide the Police Department Access to the Pennsylvania Crash Information Tool (PCIT)

Mr. Stanick deferred to Chief Hilk regarding this item. Chief Hilk presented for the Board's approval a resolution authorizing the Township Manager to execute an agreement with PennDOT authorizing the Township Police Department to access the Pennsylvania Crash Information Tool ("System"). The System is used to investigate most all requests for crash data on roads and highways in the Commonwealth. Recently, PennDOT launched an enhanced version requiring the Township to enter into an agreement to access the System. Chief Hilk reported that he and Sergeant Seth Kelley will be assigned as users of the System.

Mr. Burns moved to approve the Resolution Authorizing the Township Manager to Enter into an Agreement with the Pennsylvania Department of Transportation (PennDOT) to Provide the Police Department Access to the Pennsylvania Crash Information Tool (PCIT). Mr. Murphy seconded the motion. The motion passed on a unanimous voice vote.

9I: Motion Approving an Agreement Between the Township and Tracy Conner

Mr. Stanick reported an agreement has been prepared under the direction of the Board of Supervisors to seek settlement of a suit filed by Tracy Conner concerning the demolition of her barn located at 15 Anderson Drive. In summary, both CNX and the Township will contribute \$15,000 each to settle the matter.

Mr. Murphy moved to approve an agreement between the Township and Tracy Conner. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

9J: Motion Approving an Agreement Between the Township and Gaylord Plants

The Board took no action regarding this matter.

9K: Motion Amending the Township Police Department Policies and Procedures Manual Regarding Death Notifications, Property and Evidence Control and Body Armor

Chief Hilk presented for the Board's consideration the following comprehensive updates to the Police Department Policies and Procedures Manual:

- Section 3.13 – Body Armor – to specify agency, leadership, and officer responsibilities related to body armor;
- Section 3.6 – Property and Evidence – to provide guidelines for the proper processing, storage, security, and disposition of evidence and other property and also providing for the protection of the chain of custody and identifies those persons authorized to remove and/or destroy property; and
- Section 4.19 – Death Notifications – to provide officers with guidelines for notifying next of kin of the death of a family member.

Chief Hilk stated these updates are part of an ongoing comprehensive update to the Police Department policies and procedures to reflect current best practices. He stated the policy updates were reviewed by a committee comprised of all levels of the Police Department and the Police Union.

Mr. Burns moved to amend the Township Police Department Policies and Procedures Manual Regarding Death Notifications, Property and Evidence Control and Body Armor. Mr. Murphy seconded the motion.

Mr. Luketich inquired on the lifespan of body armor. Chief Hilk stated they are used for five years. Mr. Luketich asked what the officers do with the old equipment. Chief Hilk stated most keep them at their residences as a backup. Mr. Luketich asked if this equipment is safe. Chief Hilk stated they are not recommended for duty. Mr. Luketich asked if there is any liability to the Township. Chief Hilk stated they are not permitted to use old body armor on duty.

The motion passed on a unanimous voice vote.

9L: Motion Amending the Minutes of the July 26, 2022 Board of Supervisors Meeting

Mr. Stanick reported at its meeting on July 26, 2022, the Board amended Resolution #15-22, which granted Final PRD approval for the Meadows Landing Planned Residential Development, to allow the developer one year to post a performance guarantee, execute the development agreement and meet the outstanding conditions of approval (DEP approvals). The July 26, 2022 Meeting Minutes did not specify the length of the one year extension. As such, and to best memorialize the Board's decision, it is recommended the Board motion to amend the July 26 Meeting Minutes to specify the time.

Mr. Murphy moved to amend the minutes of the July 26, 2022 Board of Supervisors Meeting. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

9M: Motion Establishing South Strabane Environmental Steward Award

Mr. Burns stated at its July 22, 2022 meeting, the Green Team discussed establishing an Environmental Steward Award to recognize those in the Township who go above and beyond in environmental conservation efforts. Following a discussion, the Green Team unanimously voted to recommend the Board establish this program.

Applications would be accepted on a rolling basis and reviewed by the Green Team. When, in their opinion, a submission merits an award, they will forward a recommendation to the Board of Supervisors for this individual to be recognized.

Mr. Murphy moved to establish the South Strabane Environmental Steward Award. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

9N: Resolution for the Disposition of Specific Public Records

Mr. Stanick reported pursuant to Resolution #11-18, a Resolution Declaring the Township's Intent to Follow the Schedules and Procedures for the Disposition of Records, establishes the Township's Disposal of Records Policy ("Policy") where acts of disposition are approved by resolution.

However, resolutions are not necessarily required for disposing of records that meet the criteria outlined in the Policy. Because of the significant number of records accumulated over time, it is in the Township's best interest to document the disposition by resolution. The records proposed for destruction are listed in the proposed resolution per the categories of the Policy.

Mr. Stanick stated the records to be disposed are minor administrative documents with no value and dated Police Department records.

Mr. Murphy moved to approve the resolution for the disposition of specific public records. Mr. Grego seconded the motion. The motion passed on a unanimous voice vote.

90: Motion Accepting the Minimum Municipal Obligation for Plan Year 2023 for Fire, Police and Non-Uniform Pension Plans

Mr. Stanick reported PA Act 205 of 1984 (as amended), governs the funding requirements for all municipal pension plans. The law requires the Chief Administrative Officer of each pension plan to inform the governing board of the municipality of the plan's expected financial obligation for the coming year (also referred to as the Minimum Municipal Obligation or "MMO"). This must be done by the last business day in September.

The calculation of the 2023 MMO required an estimate of the 2022 W-2 wages of the employees covered by the plan; best estimates are indicated on the attached worksheets. The Township's MMO for 2022 (which is paid in the fall) and the MMO for 2023 (which is approved in 2022 for payment in 2023) includes:

Pension Plan	2020 MMO	2021 MMO	2022 MMO	2023 MMO	% Change from 2022 to 2023
Non-Uniform	\$ 62,288	\$ 67,571	\$ 67,858	\$ 82,880	+22.14%
Fire	\$119,479	\$155,954	\$152,094	\$156,908	+3.17%
Police	\$358,395	\$383,099	\$399,868	\$405,128	+1.32%
Total	\$540,162	\$606,624	\$619,820	\$644,916	+4.05%

The MMO must be met with General Fund monies or any General State Aid to Municipal Pensions to which the Township may be entitled under Act 205.

It is important to know that for the 2022 plan year, pension costs to the Township (to be paid in October of this year) include:

2022 State Aid (confirmed)	2022 Anticipated Township General Fund Expense	2022 Total Cost	2022 Budget
\$367,812	\$252,008	\$619,820	\$619,820

The anticipated General Fund cost for pensions in 2022 is \$252,008 (-11.15% decrease over 2021), which is the result of the actuarial valuation performed in 2021.

Mr. Burns moved to accept the Minimum Municipal Obligation for Plan Year 2023 for Fire, Police and Non-uniform Pension Plans. Mr. Murphy seconded the motion. The motion passed on a unanimous voice vote.

9P: Motion Waiving Park Rental Fee for the Annual Pancake Reunion

Mr. Stanick reported the Township is in receipt of a request from Ms. Susan Greene to waive the pavilion rental fee (\$300) for Billy Bell Park that was used earlier this month for the annual Pancake Reunion. The Board has granted this waiver in the past. It is suggested the Board may want to consider waiving the fee in future years as this event is a long standing tradition for the neighborhood that seeks to promote positive community relations.

Mr. Murphy moved to waive the Park Rental Fee for the Annual Pancake Reunion. Mr. Grego seconded the motion. The motion passed on a unanimous voice vote.

9Q: Motion Authorizing a Firefighter Recruitment Process

Fire Chief Jordan Cramer reported the current Eligibility List has been exhausted. From this list, the Township will fill part-time openings and eventually move those individuals into full-time roles as openings become available.

Mr. Burns moved to authorize a firefighter recruitment process. Mr. Murphy seconded the motion. The motion passed on a unanimous voice vote.

9R: Motion Rescinding the Vote on Agenda Item 9A from the August 23, 2022 Regular Meeting and Consideration of a Resolution Approving a Transfer of Restaurant Liquor License No. 20979 from Victory Hill Gun Club, Inc. of Carroll Township to CBOCS Pennsylvania, LLC (d/b/a/ Cracker Barrel Old Country Store) for a Restaurant located at 1008 Trinity Circle, Washington, PA 15301.

Chair Weber moved to rescind the Vote on Agenda Item 9A from the August 23, 2022 Regular Meeting. Mr. Grego seconded the motion. The motion passed 4-0-1 with Mr. Luketich abstaining.

Mr. Luketich stated he abstains due to the liquor license process used by the Pennsylvania Liquor Control Board.

Chair Weber moved to approve the resolution approving a transfer of Restaurant Liquor License No. 20979 from Victory Hill Gun Club, Inc. of Carroll Township to CBOCS Pennsylvania, LLC (d/b/a/ Cracker Barrel Old Country Store) for a restaurant located at 1008 Trinity Circle. Mr. Burns seconded the motion. The motion passed 4-0-1 with Mr. Luketich abstaining.

10. ADJOURNMENT

Mr. Murphy moved to adjourn. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote. The meeting adjourned at 8:46 p.m.

Respectfully submitted,

Brandon J. Stanick
Township Manager