

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

April 2, 2020

APPROVED MEETING MINUTES

1. CALL TO ORDER

The April 2, 2020 Special Meeting of the South Strabane Township Board of Supervisors (Board) came to order at 2:00 p.m. via a designated teleconference phone line.

The following were present:

Board of Supervisors Thomas Moore, Chairman; Rich Luketich, Vice-Chairman; Bob Weber; Bracken Burns; and Mark Murphy.

Also Present Township Manager Brandon Stanick; Assistant to the Township Manager Patrick Conners; Township Fire Chief Scott Reese; Township Police Chief Drew Hilk; Public Safety Director Jim Barnes; Township Engineer Kevin Creagh; Public Works Director Grego; and Township Solicitor Dennis Makel.

2. PLEDGE OF ALLEGIANCE

Chair Moore led the Pledge of Allegiance.

3. PUBLIC COMMENT

Due to the extraordinary circumstances caused by the response to COVID-19 pandemic, the Township's meeting will be conducted telephonically. A legal notice was published in the Observer-Reporter on Tuesday, March 31, 2020 advising of the special meeting. Also, the Agenda for the Special Meeting was posted on the Township's website (southstrabane.com) and Facebook page. A draft of the meeting minutes will be made available for public inspection within 48 hours after the special meeting at southstrabane.com.

Township Manager Stanick reported that no Public Comments were received via email or telephone communication prior to the start of the Special Meeting.

4. CONSIDERATION OF REGULAR MEETING MINUTES – FEBRUARY 25, 2020

Mr. Luketich moved to approve the February 25, 2020 Board of Supervisors Regular Meeting Minutes as presented. Mr. Weber seconded the motion. The Motion passed on the following roll call vote:

Ayes: (5) Luketich, Weber, Murphy, Burns, and Chair Moore

Nays: (0)

5. FINANCIAL BUSINESS

The Board considered the following financial business:

- Payroll: \$ 118,166.21 (pay date of February 28, 2020)
- Payroll: \$ 117,798.57 (pay date of February 14, 2020)
- Payroll: \$ 103,930.52
- General Fund: \$ 416,421.90
- Liquid Fuels Fund: \$ 49,438.10
- **Total Expenditure:** \$ **805,755.30**

Overtime costs for the period include:

- ⊖ Police: \$ 3,083.60
- ⊖ Fire: \$ 884.77
- ⊖ Public Works \$ 1,746.42
- ⊖ **Total OT:** \$ **6,009.61** (pay date of February 28, 2020)

- ⊖ Police: \$ 1,508.67
- ⊖ Fire: \$ 1,272.71
- ⊖ Public Works \$ 1,278.29
- ⊖ **Total OT:** \$ **4,059.67** (pay date of March 13, 2020)

- ⊖ Police: \$ 699.96
- ⊖ Fire: \$ 856.49
- ⊖ Public Works \$ 47.40
- ⊖ **Total OT:** \$ **1,603.85** (pay date of March 27, 2020)

Please know the following expenses are included for this period:

- Empire Emergency Apparatus, Inc. (Upfitting new SUVs) \$ 31,590.00
- KS Statebank 2020 Ford F-550, John Deere Tractor \$ 84,219.95
& Tiger Mower (1st Installment)
- Municipal Employees Insurance Trust (April Coverage) \$ 54,556.97

Mr. Weber moved to approve the payroll for the periods February 9 through February 22 and February 23 through March 7 and March 8 through March 21, 2020 and the Bills for the period February 22, 2020 through March 27, 2020. Mr. Luketich seconded the motion. The Motion passed on the following roll call vote:

Ayes: (5) Luketich, Weber, Murphy, Burns, and Chair Moore

Nays: (0)

6. ANNOUNCEMENTS

There were no Announcements.

7. TOWNSHIP REPORTS

Municipal Separate Storm Sewer System (MS4) Report

Township Manager Stanick noted the Board of Supervisors allocates a period of time during this item for comments regarding the topic of stormwater. Each person addressing the Board of Supervisors is asked to limit their comments to a maximum of three (3) minutes.

There were no comments received.

Township Solicitor's Report

Township Solicitor Makel noted the extraordinary situation related to the COVID-19 pandemic. He noted that in his opinion, the implemented measures at the state and federal level would continue through the end of May. He highlighted the likelihood of an additional Special Board meeting needing to take place of the May Regular Meeting.

Township Manager's Report

Range Resources Good Neighbors Fund

Township Manager Stanick reported the Police Department and Fire Department have been awarded \$4,060 and \$5,000, respectively, from the Range Resources Good Neighbors Fund. Police Chief Hilk noted the funds would be used to pay off legacy costs associated with the recently installed intersection security cameras. Fire Chief Reese reported that the grant funds would be used to purchase updated self-contained breathing apparatus units. He stated that outdated units would be phased out of operation with the influx of new equipment.

Community Park Sewer Extension Project Update

Township Manager Stanick reported the Township's Community Park Sewer Extension Project (Project) for the planned Kitchen and Bathroom facility at Community Park is nearing completion with some grass and asphalt restoration remaining. He stated that as part of the Project, electricity and conduit were run to the Keisling Pavilion adjacent to the overflow parking lot to plan for the future build out of the Park. He highlighted this portion of the Project was planned for and was included in the plan drawings that were sent out to bid; however, the bid documents did not reflect the work that was required resulting in Change Order #1 in the amount of \$15,085. Also, Change Order #2, in the amount of \$4,300 is for fencing around the new grinder pump unit adjacent to the main pavilion. Currently, Staff is soliciting two additional quotes for this work.

Police K-9 Unit

Police Chief Hilk reported that per the recent discussions concerning the pursuit of a K-9 program within the Department, he had monitored the sale of a used vehicle from a neighboring Department that could be used for the project. He reported that after the vehicle was posted within a state-wide bidding program the price had nearly doubled. He concluded by stating the vehicle would not be a good value at the selling price and in its condition.

Response to Covid-19 Pandemic

Director of Public Safety Barnes provided an update regarding outstanding building permits within the Bradford Run residential development, noting that several unfinished homes were in a vulnerable condition (i.e. unfinished, unprotected, etc.). Township Manager Stanick reported the PA Department of Commercial and Economic Development (DCED) is currently responsible for issuing waivers to select non-life sustaining businesses to continue operations during the COVID-19 pandemic. Director of Public Safety Barnes highlighted that the Developer (NVR) had acquired an authorization number to continue operations under an emergency basis from the DCED. He highlighted that the formal letter has not been received, citing the staffing constraints across the workforce. Township Solicitor Makel recommended implementing a strategy of permitting the construction to continue on an emergency basis, so long as the permit from the DCED is valid, citing agreement with Staff that unfinished homes and foundations would present a threat to the public safety and welfare of Township residents. Mr. Weber inquired regarding future construction projects. Director of Public Safety Barnes reported that all future construction projects have been halted and no building permits will be issued until further notice. He concluded by discussing Code Enforcement operations, highlighting that as the weather continues to get warmer, the Department will become increasingly “essential”.

Police Chief Hilk reported that the Police Department has implemented several measures to keep Officers safe during the pandemic, including the elimination of non-essential contact with pedestrians and motorists. He highlighted the Department would be investigating complaints related to Governor’s mandated closure of “non-essential” businesses and operations. He concluded by noting call volume has remained steady during this time.

Township Manager Stanick discussed Public Works operations, noting the Department’s functions are essential in nature, but stated that various capital projects would be delayed/cancelled due to the pandemic. He highlighted that over the last two weeks, Public Works employees have been asked to remain on call from home from 7 a.m. – 3 p.m. (with full pay). He noted that on various occasions Public Works employees have been called out to handle situations, including during a recent storm event. Public Works Supervisor Grego reported that operations have worked relatively well during recent weeks. He concluded by discussing various social distancing and sanitary measures implemented within the Department and facility.

Fire Chief Reese reported the Fire Department has been split into two separate teams to limit physical interaction and quell the potential spread of the virus. He next discussed equipment levels, noting that the Department has access to Level 3 Personal Protection Equipment (PPE). He concluded by highlighting to date the Department has not had confirmed interaction with COVID-19 patients. Mr. Luketich inquired regarding the volunteer firefighters within the Department. Fire Chief Reese stated that if a call is EMT related only members with their medical certifications can respond. He noted that all members can respond to fire emergency calls.

Township Engineer's Report

Township Engineer Creagh reported that the Community Park Kitchen and Restroom Project bids were submitted last week. He highlighted the project will be discussed during the meeting at a later time.

Secretary/Treasurer's Report

The following items have been received or issued between February 22, 2020 and March 27, 2020:

Minutes and Agendas:

- a) Planning Commission Regular Meeting Minutes – February 6, 2020;
- b) Green Team Meeting Minutes – February 20, 2020; and
- c) Planning Commission Meeting Agenda – March 5, 2020.

Reports and Publications:

- a) Fire Department Report – February 2020;
- b) Volunteer Fire Department Financial Report – January 6 – March 4;
- c) Public Safety Department Report – February 2020;
- d) Police Department Report – January and February 2020;
- e) Tax Collector's Report & Interim Collection Only – February 2020;
- f) Animal Control Officer's Report – February 2019;
- g) MS4 Report – March 2020;
- h) Township Engineers Report – April 2, 2020
- i) O-R, Bid Ad for Community Park Kitchen & Bathroom - February 22 & 24, 2020;
- j) Attestation Engagement Liquid Fuels Tax Fund dated February 2020 for Jan. 1, 2017 through Dec. 31, 2018;
- k) Costars Connection Bulletin – Winter 2020;
- l) PSATS News Bulletin – February & March 2020;
- m) PennDOT District 12 Progress Report – February & March 2020;
- n) Wash. Co. Conservation District Newsletter – February 2020.

Correspondence:

- a) Letter dated March 5, 2020 from Comcast regarding Cartoon Network moving to Digital Preferred Package;
- b) *Letter (w/o attachments) dated March 6, 2020 from EQT regarding its permit applications to drill the proposed Heyl Well in Amwell Township;*
- c) *Letter (w/o attachments) dated March 13, 2020 from EQT regarding its permit applications to drill the proposed Habanero Well in North Strabane Township;*

- d) *Letter (w/o attachments) dated March 16, 2020 from Range Resources regarding its permit applications to drill the proposed Burnsworth, S & T Unit 13H-16H, 18H & 19H Well in Amwell Township;*
- e) *Letter (w/o attachments) dated March 17, 2020 from EQT regarding its permit applications to drill the proposed X-Man Well in Amwell Township; and*
- f) Letter dated March 17, 2020 from Township Manager Stanick supporting Dormont's proposal to fund a regional glass recycling program.

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

8. UNFINISHED BUSINESS

9. NEW BUSINESS

9A: Motion Approving a Declaration of Disaster Emergency in Response to the COVID-19 Pandemic

Township Manager Stanick presented for the Board's consideration a declaration of disaster emergency as a result of the COVID-19 Pandemic. He stated the declaration is a part of the Township's recently updated Emergency Operations Plan ("EOP") and is primarily used to:

1. Activate the Emergency Operations Center ("EOC"), should it be needed;
2. Direct the Emergency Management Coordinator (Scott Reese) to coordinate the activities of the emergency response to take all appropriate action needed to alleviate the effects of the disaster, aid in the restoration of essential public services and to take any other emergency response action deemed necessary in the Township's respond to this emergency; and
3. Authorize Township Officials to act as necessary to meet the current demands of this emergency, including: the employment of temporary workers, rental of equipment, purchase of supplies and materials and entering into contracts and agreements for the performance of public work as may be required to meet the emergency, all without regard to the time-consuming procedures and formalities normally prescribed by law (with the exception of constitutional requirements).

He highlighted this declaration will be in effect through April 30, 2020 or until such time the emergency exists as proclaimed by the Governor of Pennsylvania.

Fire Chief Reese discussed the Township's EOP and highlighted correspondence received from the Director of the Pennsylvania Emergency Management Agency (PEMA). He noted a declaration of disaster emergency is needed at this time, however, it is not required to qualify for some funds. The declaration will likely assist Washington County's efforts in securing a higher-level funding as well. He concluded by highlighting that Washington County's emergency declaration did not apply to municipalities located within the County.

Mr. Murphy moved to approve a Declaration of Emergency in response to the COVID-19 Pandemic. Mr. Luketich seconded the motion. The Motion passed on the following roll call vote:

Ayes: (5) Luketich, Weber, Murphy, Burns, and Chair Moore

Nays: (0)

9B: Motion Awarding Bids for 2020 Public Works Materials

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 \$21,000. He stated that bid advertisements for seal coating, stone, asphalt, gasoline and diesel fuel were advertised in the March 4 and March 7, 2020 editions of the Observer-Reporter. He reported that at 1:00 p.m. on March 20th, all bids were received, and due to the Municipal Building being closed to the public as a response to the Covid-19 pandemic, were opened at a closed meeting in the Municipal Building Meeting Room and broadcast live on the Township's website.

He stated the lowest acceptable bid for seal coating came from Youngblood Paving, Inc. at \$1.34/sq. yd. The lowest acceptable bid for stone came from Coolspring Stone Supply, Inc. (#1, #57 #2A and R-4) and Hanson (R-6). He reported that the asphalt bid was won by Hanson as well. He stated the lowest acceptable bid for diesel came from Kehm Oil, Co. at \$1.3323/gal delivered. He reported the tally sheets are attached within the provided packets for comparison. He reported that as no acceptable bid was received for gasoline (bidder is not located in the Township and is ineligible), 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 recommended the Board accept the bids for:

- In-place seal coating from Youngblood Paving in the amount of \$1.34/sq. yd.;
- #1 stone in the amount of \$21.75, #57 stone in the amount of \$22.50, #2A stone in the amount of \$20.00 and R-4 riprap in the amount of \$22.00 from Coolspring Stone Supply Inc.;
- R-6 riprap from Hanson in the amount of \$31.50;
- 9.5 mm Superpave in the amount of \$60.00, 19mm Superpave in the amount of \$54.00 and 25mm Superpave in the amount of \$52.00 from Hanson; and
- Diesel fuel (delivered) in the amount of \$1.3323/gallon from Kehm Oil Co.

Mr. Murphy moved to award the bids as previously outlined. Mr. Luketich seconded the motion. The Motion passed on the following roll call vote:

Ayes: (5) Luketich, Weber, Murphy, Burns, and Chair Moore

Nays: (0)

9C: Motion Awarding Highest Bidder for a 2003 John Deer Tractor with Boom Mower Attachment in the Amount of \$24,200

Township Manager Stanick reported that on March 10th the Township received a winning bid in the amount of \$24,200.00 for a John Deere tractor with Boom Mower attachment (\$22,500 minimum per an estimated trade in value of \$20,000). He stated the winning bidder (Young Township, Jefferson County, PA) has been notified and made aware of Municipal closures and delays due to the COVID-19 pandemic. He highlighted that Staff will continue to be in contact with the winning bidder should the Board authorize the sale of the item in order to establish an amicable meeting time to have the item picked up.

Mr. Murphy moved to award Young Township (Jefferson County, PA) the winning bid for a 2003 John Deere Tractor with Boom Mower attachment in the amount of \$24,200. Mr. Luketich seconded the motion. The Motion passed on the following roll call vote:

Ayes: (5) Luketich, Weber, Murphy, Burns, and Chair Moore

Nays: (0)

9D: Motion Awarding the Bid for the Community Park Kitchen/Bathroom Project to TBI Contracting, Inc. of McKeesport, PA

Township Manager Stanick reported that in the 2020 Annual Budget, \$163,000 in Act 13 funds is programmed for Phase 2 of the Community Park Restroom/Kitchen and Walking Trail Project, which consists of the construction of a restroom/kitchen facility adjacent to the main pavilion ("Project") and an intermediate walking trail. He stated that Phase 1 was for the installation of a sewer line along Floral Hill into the park.

He highlighted 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 \$21,000. He stated that a bid advertisement for the Project was advertised in the February 22 and February 24, 2020 editions of the Observer-Reporter. He reported that initially, the bid opening was scheduled for March 18th; however, as two addenda were issued for this project, the bid opening was rescheduled for March 24th at 10:00 a.m. He reported the bids were received at this time, and with the Municipal Building being closed to the public as a response to the Covid-19 pandemic, were opened at a closed meeting in the Municipal Building Meeting Room and broadcast live on the Township's website.

He stated the Township received seven bids and the lowest acceptable bid is from TBI Contracting Inc. of McKeesport, PA at \$188,000. Bid Alternate #1, for the instantaneous hot water heater is in the amount of \$3,900 (total cost of \$13,900 as \$10,000 is currently allocated in the Project cost estimate) and Bid Alternate #2, for the installation of an exhaust vent and a fire suppression system in the amount of \$17,000. He highlighted that the Board held a workshop discussion earlier this

year to finalize the specifications prior to bidding resulting in the two alternate bids. He cited the bid tabulation is attached for the Board's information. He reported that Township Engineer Kevin Creagh, after having contacted references, finds the contractor acceptable.

Township Solicitor Makel noted the advertisement for the bid was not consistent with the requirements of Second-Class Township Code. A discussion followed. In response to a question from Mr. Weber, Township Engineer Creagh noted that due to recent events, the construction would be delayed for an extended period of time.

Following further discussion, Mr. Luketich moved to table the matter and re-advertise the bid for the Community Park Kitchen and Bathroom Project per the requirements of the Second-Class Township Code. Mr. Weber seconded the motion. The Motion passed on the following roll call vote:

Ayes: (5) Luketich, Weber, Murphy, Burns, and Chair Moore

Nays: (0)

9E: Resolution Accepting the Terms and Conditions of the DCNR Community Conservation Partnership Program – Billy Bell Park Playground Rehabilitation Project

Township Manager Stanick reported that the Township has routinely applied for the Community Partnerships Program grant through the PA Department of Conservation and Natural Resources (DCNR) for projects associated with Community Park and other Municipal facilities. He stated that in effort to rehabilitate and replace existing playground facilities at Billy Bell Park, Staff is seeking to apply for the Community Parks and Recreation Grant. He highlighted this stream of funding is considered very competitive and would require a 50/50 financial match. He also highlighted that the Board may recall, a replacement playground structure/grounds was presented to the Board during a budget meeting in 2019; however, due to the prioritizing of capital projects, the playground is anticipated to be constructed in 2021. He cited that the Capital Improvement Plan reflects \$40,000 for 2020 and 2021 at this time for its completion. Should the Township be selected, it is anticipated the grant award would occur in 2021.

He reported that Staff is preparing this new submission to the DCNR's grant program in time for its April 22nd deadline. He stated that to qualify for the grant, the Board is required to pass a resolution accepting the terms and conditions of the grant which will become a grant agreement between the Township and the DCNR should the Township be awarded the grant.

Mr. Murphy moved to approve a Resolution accepting the Terms and Conditions of the DCNR Community Conservation Partnership Program for the Billy Bell Park Playground Rehabilitation Project. Mr. Luketich seconded the motion. The Motion passed on the following roll call vote:

Ayes: (5) Luketich, Weber, Murphy, Burns, and Chair Moore

Nays: (0)

9F: Resolution Extending the Time Required to Meet Certain Conditions of the Final Subdivision & Land Development Approval for the Revised Phase 4 Bradford Run Development

Township Manager Stanick reported the Township is in receipt of a request from J. Angelides Enterprises, L.P. (“Applicant”), the developer for the Bradford Run Planned Residential Development (“Development”), for the Township to grant an additional extension of 90 days to fulfill the conditions of Resolutions #11-19, a resolution granting Preliminary and Final Subdivision Approval and Land Development Approval for Revised Phase 4 of the Development. He highlighted that during the September meeting, the Board had granted an initial extension of time pursuant to Resolution #21-19 and a second extension per Resolution #31-19 for 90 days. More specifically, the conditions that cannot be met within the required timeframe include:

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

He stated that in the event an extension of time is not granted, the Applicant would then resubmit materials and proceed through the subdivision and land development approval processes. He highlighted that it is important to know that there are no revisions proposed to the final plat of subdivision, land development plans or development agreement.

Township Manager Stanick read aloud correspondence received from Community Bank advising the Applicant is in good standing . Mr. Weber inquired regarding the delay. A discussion regarding the project’s timeline and associated tax filing ensued.

Mr. Weber moved to approve a Resolution extending the time required to meet certain conditions of the Final Subdivision & Land Development Approval for the Revised Phase 4 of the Bradford Run Development. Mr. Luketich seconded the motion. The Motion passed on the following roll call vote:

Ayes: (5) Luketich, Weber, Murphy, Burns, and Chair Moore

Nays: (0)

9G: Motion Approving a Tentative Agreement Between the International Association of Fire Fighters, Local 5006 and the Township for January 1, 2019 through December 31, 2021

Township Manager Stanick presented for the Board’s consideration a Tentative Agreement (“TA”) between the Fire Department and the Township for the period beginning January 1, 2019 and ending December 31, 2021.

The following are highlights of the substantive proposed changes from the previous agreement:

1. **Article 2 (pg. 1-2 of the TA):** Part-Time hires – established Township’s right to hire part-time firefighters.
4. **Article 6 (pg. 3):** Grievance Procedure – establishes a new Step II where if not resolved at Step I with the Township Manager, the Board of Supervisors would hear an appeal within 7 days.

5. **Article 7 (pg. 3-6):** On Duty Disability (Heart and Lung) – establishes a process and procedure for on duty disability claims as none exist currently.
7. **Article 9 (pg. 6):** Probationary Period - sets forth 6-month probationary period for those hires that have certifications and up to a year for those hires that do not.
8. **Article 12 (pg. 6):** Schedule and Manning – lifts restrictions on dates/times and ability to work in place of scheduled firefighter and fill vacancies in a schedule for the Fire Chief.
13. **Article 19 (pg. 7):** Sick Leave – unused sick leave for firefighters hired after January 1, 2020 may only accumulate a maximum of 50 hours (decreased from 100 hours).
14. **Article 20 (pg. 7-8):** Health Insurance – FFs will move to the PPO 250/500, Drug Option 2 Plan, deductible plan, with the Township paying the deductible. Employee paid premiums increase from 10% to 12% / 12% / 12.5% each year of the contract.
15. **Article 21 (pg. 8):** Longevity Pay – shall not be included in pension calculation benefits for those hired after January 1, 2020.
16. **Article 22 (pg. 8):** Wages – 3% / 3% / 3.25% for each year of the contract.
18. **Article 31 (pg. 8):** Retirement - normal retirement age stays the same and increase to years of service requirements to age 55 with 20 years of service (currently at age 55 with 10 years of service) for all employees hired after January 1, 2020 and that all FFs are eligible to voluntarily participate in the Township's 457 Plan.

He highlighted the CBA presented for the Board's consideration was executed by the Union membership on March 31, 2020.

Mr. Luketich moved to approve a Tentative Agreement between the International Association of Fire Fighters, Local 5006 and the Township for January 1, 2019 through December 31, 2021. Mr. Murphy seconded the motion. The Motion passed on the following roll call vote:

Ayes: (5) Luketich, Weber, Murphy, Burns, and Chair Moore

Nays: (0)

10. **ADJOURNMENT**

Mr. Weber moved to adjourn the meeting. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote and the meeting adjourned at 3:11 p.m.

The Board then entered Executive Session to discuss Personnel Matters.

Respectfully submitted,

Brandon J. Stanick
Township Manager