

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

May 8, 2023

APPROVED MEETING MINUTES

1. CALL TO ORDER

The May 8, 2023 Special 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	Bracken Burns, Chair; Mark Murphy, Vice Chair; Russell Grego; Richard Luketich; and Bob Weber.
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Absent	None
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Also Present	Township Manager Brandon Stanick; Police Chief Drew Hilk; Township Solicitor Dennis Makel; Township Engineer Scott Groom; and Stenographer Sheila Rozanc.
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2. PLEDGE OF ALLEGIANCE

Chair Burns led the Pledge of Allegiance.

3. PUBLIC COMMENT

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

Ms. Laynee Zipko, resident on Berry Rd., showed a photograph to the Board of a recent car wreck that had occurred on April 27th in front of her property. Ms. Zipko expressed her desire to see Berry Rd. addressed.

Ms. Judy Panasik, resident on Green Crescent Dr., stated the Champion Center still has the opportunity to use the Tax Increment Financing that is in place for the 65 Fischer Rd. parcel. She advised the Board to not be afraid to get sued regarding their decision this evening on the Conditional Use Application submitted by the Champion Center Enterprises, LLC. as they have lied throughout the entire process.

Mr. Jeffrey Bull, resident on S. Main St., stated he got involved with the Township as an opponent to the TIF and now is involved because of the termination of the South Strabane Sanitary Authority. The outlet mall has given South Strabane an eyesore on I-79. The Champion Christian Center is not about religion, it’s about the TIF. Mr. Bull concluded his statements and pointed at Mr. Thomas Lonich (resident on Davis School Rd.) seated in the audience and stated he has created most of the problems we deal with today.

Ms. Charlene Scuvotti, resident on Pine Valley Rd., in reference to her recent request for public information, inquired of the costs associated with the Manifold Force Main Project. She also inquired of the certificate of deposit and if those funds were indeed the Sanitary Authority's. Township Manager Stanick advised the information being referenced is not available for review at the moment and invited her to reach out at a later time if she would like understand the information. He also reported the CD had come from the Sanitary Authority.

4. ANNOUNCEMENTS AND RECOGNITION

Chair Burns announced the Board met in Executive Session on April 27, 2023 to discuss personnel matters and on May 8, 2023 to discuss potential litigation.

5. TOWNSHIP REPORTS AND PRESENTATIONS

Municipal Separate Storm Sewer System (MS4) Report

Chair Burns stated 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. Scuvotti inquired if Staff had an opportunity to inspect the pipe and the streambank near the end of Pine Valley Rd. adjacent to her property. Mr. Grego stated that he, Township Engineer Horvat and Mr. Stanick performed an onsite inspection. Mr. Stanick stated Mr. Horvat will be providing a recommendation shortly, which will be shared with her. She inquired if there are funds remaining for the Manifold Streambank Restoration Project. Mr. Stanick stated there are funds, but the Township has paused that project for the time being.

6. UNFINISHED BUSINESS

There was no Unfinished Business to come before the Board.

7. NEW BUSINESS

7A: Public Hearing for the Consideration of a Conditional Use Application from Champion Center Enterprises, LLC to Operate Business or Professional Offices Located at 65 Fischer Road in the C-3 Zoning District

In response to a question from Chair Burns, Mr. Lonich stated that his comments should not be construed as a participation by he or his client during the Public Hearing. He stated he nor did his client receive public notice regarding this hearing. Ms. Stanick advised Mr. Miller was informed of the Special Meeting via telephone. A discussion regarding public notice ensued. Mr. Stanick noted notices were mailed to those property owners within 300 feet.

Chair Burns opened the Public Hearing and invited those whom may be in attendance that live within 300 feet of the property to speak first. Mr. Jack Felix, resident on Fischer Rd. and property owner of a parcel within 300 feet of the property, advised he did not receive notice. Mr. Felix stated he is against the proposed project.

Ms. Rozanc administered the oath to Mr. Felix.

Mr. Felix expressed his concern for the increase in traffic that will be generated by the project.

In response to an invitation from Chair Burns, there were no other property owners within 300 feet of the property that expressed a desire to address the Board.

In response to an invitation from Chair Burns, there were no representatives of the proposed project that expressed a desire to address the Board. Chair Burns noted for the record the absence of the Applicant.

In response to a question from Chair Burns, Solicitor Makel advised that if the conditions are met then the municipality would be obligated to grant the Conditional Use.

Ms. Rozanc administered the oath to Mr. Bull and Ms. Panasik.

Ms. Panasik expressed her concern with the traffic study conducted for the project as it was based on office space. The traffic study is for 43 to 46 cars per day, which was based on the sq. ft. of the building and the use as office space. The property is parked for far more spaces. The floor plans indicate uses that would exceed temporary office space and are more comparable to events. This would generate much more traffic than the study reports. They should have a different traffic study performed. She also expressed her concern the Township should not pay for upgrading Fischer Road.

Mr. Bull noted that a representative of Chapman Properties, a neighboring property owner, was against the proposal. We don't need another Berry Rd. to happen to Fischer Rd. He suggested everyone know what is required of them to upgrade the roads. This project is far from being ready and we need to get it right the first time.

Solicitor Makel continued by noting the Township does have the ability to put conditions on the property. A discussion followed regarding challenges to any decision the Board should make.

Chair Burns reviewed the Findings of Fact and Conclusions of Law prepared for the Board to consider announcing the following conditions:

1. To ensure an acceptable sight distance, the Applicant shall locate the driveway location at least forty (40) feet to the south of the existing driveway along Fischer Road closer to the pipe gate and line of trees near the southeast of the Subject Property corner.
2. In addition to relocating the driveway, the Applicant shall remove vegetation along Fischer Road to ensure an acceptable sight distance.
3. To ensure safe ingress and egress from the Subject Property, the relocated driveway shall be a minimum of twenty-six (26) feet wide with a single lane for ingress and a single lane for egress.
4. To ensure safe internal traffic circulation and minimize congestion, the Applicant is limited to a maximum of 200 parking spaces on the Subject Property. Should the Applicant wish to make an expansion to the facility and/or the parking area, the Applicant shall submit such a request to the Township through the appropriate means.

5. As Fischer Road is the only roadway that accesses the Subject Property and there are legitimate concerns regarding the condition of said roadway, the Applicant shall negotiate with the Township to make reasonable improvements to Fischer Road to ensure safe ingress and egress.
6. Prior to final approval, the Applicant shall be required to secure public sewage to the Subject Property.
7. The Subject Property shall be limited solely to the use of Business or Professional Offices with the Township retaining jurisdiction to review operations beyond this scope.
8. Pursuant to Subsection B of Section 245 of the Zoning Ordinance, this Conditional Use approval shall expire automatically, without written notice to the applicant, if no application for a grading permit, a building permit or a certificate of occupancy to undertake the construction or authorize the occupancy described in the application for conditional use approval is submitted within 12 months of said approval.
9. The applicant shall comply with the terms and conditions of the Township Zoning Ordinance and all other Township Ordinances.
10. The conditional use granted by the Township may not be enlarged or changed by the applicant unless as provided by the applicable Township Ordinances.
11. The applicant shall comply with the deficiencies as defined by KLH, Township Engineer, as more fully set forth in the Findings of Fact.
12. The applicant shall install the appropriate traffic signs on said property which would provide that traffic shall make a left turn only onto Fischer Road at the applicant's expense.
13. The granting of this conditional use shall not provide the applicant with any further Township consent unless approved in writing by the Township as to a possible Developer's Agreement.

Solicitor Makel inquired why the applicant had submitted a building permit already for this project. Mr. Lonich stated he has no comment and noted his understanding his client has to abide by the ordinances of the Township.

In response to a request from Chair Burns, Mr. Murphy moved to close the Public Hearing. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

Mr. Murphy moved to adopt the Findings of Fact and Conclusions of Law with the stated conditions. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

7B: Motion Awarding Lowest Qualified Bid for Public Works Materials and Fuel

Mr. Murphy moved to award the following bids for: In-place seal coating from Youngblood Paving in the amount of \$1.78/sq. yd.; #1 stone in the amount of \$28.00, #57 stone in the amount of \$28.00

and #2A in the amount of \$24.00 from Greer Limestone Co.; R-6 riprap in the amount of \$36.32 from Heidelberg Materials; R-4 riprap in the amount of \$29.25 from Cool Spring Stone Supply; and 9.5 mm Superpave in the amount of \$75.75, 19mm Superpave in the amount of \$68.50 and 25mm Superpave in the amount of \$67.00 from Heidelberg Materials. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

7C: Motion Appointing an Assistant to the Township Manager Position

Mr. Stanick reported that in March, 2023, Jim Sutter resigned his position as the Asst. to the Township Manager. Following several weeks of recruiting, interviews were conducted by an Interview Panel comprised of Department Heads, the Township Manager and Chair Burns. Six candidates were interviewed during Step One and the Interview Panel recommended three candidates for the Board to interview during Step Two. The Board interviewed two of the three candidates (due to one cancellation) and selected Aidin Critchlow as the next Asst. to the Township Manager. Mr. Critchlow's first day with the Township is Tuesday, May 30th and will start with a salary of \$55,000, as advertised.

Mr. Luketich moved to appoint Aidin Critchlow as the Township's Assistant to the Township Manager at a starting salary of \$55,000. Mr. Grego seconded the motion. The motion passed on a unanimous voice vote.

8. ADJOURNMENT

As no further business came before the Board, Mr. Weber moved to adjourn. Mr. Murphy seconded the motion. The meeting adjourned at 7:45 p.m.

Respectfully submitted,

Brandon J. Stanick
Township Manager