

**CHARTIERS TOWNSHIP  
BOARD OF SUPERVISORS MEETING  
June 12, 2018**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**EXECUTIVE SESSION ANNOUNCEMENT:**

Please be advised that the Board of Supervisors met in Executive Session immediately prior to this meeting from 3:30 P.M. to 4:00 P.M. to discuss personnel and litigation matters.

**ATTENDANCE:**

Attending this meeting were Supervisors Gary Friend, John M. Marcischak and Mr. Alterio. Also present were Jodi L. Noble-Township Manager; James Liekar-Solicitor; Jennifer Slagle-Township Engineer; Adam McGurk, AICP Planning Director; Jessica Tedrow, Parks & Recreation Director; James Horvath, Chief of Police and Bev Small, Recording Secretary. ABSENT: Ed Jeffries, Public Works Director;

**VISITORS TIME:**

Stanley and Antoinette Kowalewski of 314 Plum Run Road & corner of Griffith Lane expressed appreciation to Mr. Friend and the Public Works Department for their quick response and assistance with their road water situation.

**DEVELOPERS TIME**

1. A motion was made by Mr. Friend and seconded by Mr. Marcischak to approve the Stormwater Operation and Maintenance Agreement with Range Resources for the Clara Little well site grading permit application as recommended by the Township Manager and Planner. All Supervisors voted yes. The motion carried.

**STAFF REPORTS:**

Planning/Zoning Officer: Planning Commission meeting June 19, 2018  
All reports were accepted as submitted

**SUPERVISOR REPORTS:**

Mr. Alterio – No report  
Mr. Marcischak – No report  
Mr. Friend- No report

## OLD BUSINESS:

1. The meeting was recessed and called to Order at 4:05 P.M. for the Public Hearing on the proposed Ordinance No. 374 Amendment of Chapter 350 for 500 Western Ave. rezoned from R-1 to I-1.
  - The Township Planner, Mr. McGurk, entered into the record:

Rezoning application accepted by the Township on March 27, 2018; Chapter 350 of the Chartiers Township Code of Ordinances, "Zoning"; Chartiers Township Comprehensive Plan adopted May 5, 2009; Public Notices for this hearing as printed in the Observer Reporter on May 29, 2018 and June 5, 2018; Property posting pictures dated May 2, 2018; The neighboring property owner public notice letters and mailing list dated April 30, 2108; Planning Commission Minutes of April 17, 2018 recommending the draft ordinance; Washington County Planning Commission letter dated April 26, 2018

    - The Applicant added the Township Zoning Documentation as well as:
      - Exhibit "A"      Aerial Parcel Map
      - Exhibit "B"      Topographic Plan
      - Exhibit "C"      Proposed Rezoning Map
      - Exhibit "D"      Property Site Plan

## APPLICANT TESTIMONY:

- Dwight Ferguson, Legal Counsel for Angelo Quarture, owner of the 75 acre subject property presented background, proposed use as a landscape supply area including warehouse buildings(s) and yard area for industrial landscaping equipment within the permitted uses in an I-1 Zoned District. Market study and review indicates no past attraction to develop the property zoned R-2 use.
- Keith Straight, Engineer with T-3 Strategies clarified details of the survey conducted and focused on the location and characteristics of the site. Current access to the property is all-terrain / gravel base access located off Route 519 (Western Avenue).
- Steven Victor of Victor-Wetzel Associates, Landscape Architect & Land Use Planner talked about the proposed rezoning and how that can fit into the current zoning scheme and the Township's comprehensive plan.
- Angelo Quarture, Business Owner of Subject Property presented his plan of use and clarified that undevelopable property boundaries due to power lines and other conditions in the easement areas serve to create a buffer (trees) to adjoining residential properties on the perimeter of his property. There are no plans for heavy equipment and the business would not present noise or odor issues exceeding conditional use.

## **BOARD of SUPERVISORS COMMENTS / QUESTIONS:**

- Mr. Marcischak asked for further clarification of specific and other uses that would provide benefit to the Township and also the design of the pre-fab metal buildings to store equipment on approximately two (2) of the 75 acres of the property.
- Mr. Alterio asked about proposed landscaping and warehouse development hours of operation and reaffirmed that operations are based on meeting specific conditional use criteria. He also requested informational plans for minimizing noxious odors from stored mulch and similar landscape materials.

## **PUBLIC COMMENT:**

- Gregg Schwartz of 17 Putorti Lane opposes the rezoning due to traffic increase, dust and dirt.
- Courtney Looman of 34 Putorti Lane expressed that this is spot zoning.
- Todd Pappasergi, of Bassi, Vreeland & Associates representing property owner, Robert Hughes of 68 Putorti Lane, stated that this speaks clearly of spot zoning in the center of contiguous rural property in a Residentially Zoned area. Permitted uses in the proposed area is a concern in a primarily residential area that should be in existing Industrial Zoned Area.
- Robert Hughes of 68 Putorti Lane expressed opposition stating the hope for developing more Residential uses of property.
- Mark Jaworski of 75 Putorti Lane opposes based on the number of permitted uses for I-1 Zoned property.
- John Triscik of 60 Putorti Lane opposes the rezoning to Industrial.
- Hugh Paxton of 488 Western Avenue asked about number of employees and the Zoning prior to 2009 which was zoned Industrial. He has no opposition to the rezoning as presented. His property is directly adjacent to the usage and access location.
- Jeff Paxton of Western Avenue owns adjacent property and stated he sees no potential movement to be able to develop this property as Residential.
- Attorney Ferguson responded to the points discussed and is willing to submit a substantiated memorandum pertaining to spot zoning for the Board's review.
- Mr. Marcischak posed a question of any alternative as C-2 or A-2 zoning.
- The Township Planner, Mr. McGurk, recapped that the Board passed the Zoning Amendment in April 2018 to detail the 26 permitted uses of which 25 are permitted uses.

- A motion was made by Mr. Friend and seconded by Mr. Marcischak to close the Public Hearing portion of the meeting. All Supervisors voted yes. The motion carried.

The Public Hearing adjourned at 5:27 P.M. to return to the regular Board of Supervisors meeting.

2. A motion was made by Mr. Friend and seconded by Mr. Marcischak to table action on the rezoning request of Angelo Quarture to rezone the subject parcel at 500 Western Avenue from R-1 to I-1 until the July 10, 2018 Board of Supervisors Meeting at 4:00 pm, as recommended by the Chartiers Township Solicitor.. All Supervisors voted yes. The motion carried.
3. A motion was made by Mr. Friend and seconded by Mr. Marcischak to approve partial payment No. 4 to Ligonier Construction Co. in the amount of \$201,762.42 for the construction of the McClane Farm Sewer project as recommended by the Project Engineer in the pay estimate dated June 6, 2018 and authorize submission of a PennVest drawdown application for the same. All Supervisors voted yes. The motion carried.
4. A motion was made by Mr. Friend and seconded by Mr. Marcischak to authorize the release of the Canton Township portion of the Route 18 sewer fund to Canton Township upon receipt of an executed revised agreement. All Supervisors voted yes. The motion carried.
5. A motion was made by Mr. Friend and seconded by Mr. Marcischak to authorize the Township Engineer to update the Chartiers Township Act 537 Plan for Arden Mines Road, as required by the DEP in their Order dated June 8, 2018. All Supervisors voted yes. The motion carried.

#### **NEW BUSINESS:**

1. A motion was made by Mr. Friend and seconded by Mr. Marcischak to approve the Right of entry with James and Nancy Proudfit of Washington, PA for the removal of certain trees from their property located at the intersection of Country Club Road and Barnickel Street to improve sight distance and public safety. All Supervisors voted yes. The motion carried.
2. A motion was made by Mr. Friend and seconded by Mr. Marcischak to authorize the sale of the 1996 Diamond Trailer and the resale of the Ford Explorer, as is, via Municibid public auction website as recommended by the Township Manager and Director of Public Works. Mrs. Noble noted that the sale of the 1990 Ford Rescue was previously authorized. All Supervisors voted yes. The motion carried.

3. A motion was made by Mr. Friend and seconded by Mr. Marcischak to authorize payment of invoices (General Fund: Checks #32939-32994: \$233,520.52; Light/Fire Hydrant Fund: Checks # 2045-2047: \$6,381.49; Local Services Tax Fund: Checks # 1047 – 1051: \$7, 643.52; Act 13 Impact Fund: Check # 1026: \$4,584.85; Sanitary Sewer Fund: Check #1127 - 1130: \$207,125.14; Capital Reserve Fund: Checks #1027 - 1029: \$755.11; Liquid Fuels Fund: Check # 1021: \$5,600.00; Developer's Escrow Account: Check # 1060: \$ 1,011.80; Revenue Gaming Fund: Check # 1017: \$ 375.00; Midland Sewer Fund: Check # 1015: \$ 198.00; CTCC Fund: Checks # 1250-1268: \$6,206.52; Total All Funds: \$473,401.95). All Supervisors voted yes. The motion carried

## **DISCUSSION ITEMS:**

1. Multi-Municipal Water Quality Grant Application – Mrs. Noble met with the Managers of North Strabane and Union Township along with Richard Cleveland with discussion including potential to be on the ground floor for incorporating a Growing Greener Grant as well. Authorization to submit that may be presented at the June 26, 2018 meeting. Mr. Liekar advertised the ordinance for the Intergovernmental Cooperation Agreement for the June 26, 2108 meeting.
2. McClane Farms Road Sewer Project – Mrs. Noble stated that the ensuing Resident Meeting scheduled for 6:00 P.M. in the Township Meeting Room will address the Construction progress and Tap-In process.
3. Midland Sewer Project Update – The Solicitor sent letters prior to properties not tapped in being liened. Mrs. Noble met with Washington Financial and requested a Bond Rating to determine if one of the two options is feasible.
4. WEWJA Agreement (South Strabane) –Nothing to report.
5. Canton Agreement (Route 18) – Handled in Motion 4 under Old Business
6. Kingston Estates Public Improvements – No Update
7. Linda Lane Cul-de-Sac – No update
8. 2018 Road Program – Mrs. Slagle scheduled a pre-construction meeting for the last week of June. All contracts are executed. Jeff Sites will be the project manager. Gateway is putting this out to bid.
9. 2018 Sewer Rehabilitation Project – The Township Engineer is starting with CCTV to put this out to bid.
10. CHJA Act 537 Request/Fee Increase – Mr. Liekar and Mrs. Noble are meeting with representatives from North Strabane and Cecil on Wednesday, June 13, 2018.
11. February 16<sup>th</sup> and February 22<sup>nd</sup> -25<sup>th</sup> Storm Events/Flooding Follow Up –

- Road Damage
    - Allison Hollow Road – The contractor is waiting for West Penn to verify if we need to move the pole. He is proceeding with bids to be able to progress simultaneously with West Penn’s action and approval.
    - Arden Mines Road - repair proposals and options were presented.
  - Resident Flooding (wide spread, including)
    - McClane Farm Road – The Township Engineer is looking at alternatives.
    - Fair Meadow Circle – The alternative Engineer is reviewing the existing stormwater information to identify infrastructure issues pertaining to the flooding issues.
    - Arthur Road – Gateway continues to assist effected residents for potential resolution to the flooding issues from Piatt and neighboring properties.
    - Griffith Lane – positive feedback for the resolution of water issues.
    - Ron Luisi of 229 McClane Farm Road asked for status update on progress centered on the water issues. Gateway is responding.
  - Chartiers Run Flood Mitigation Task Force – No newly scheduled meetings.
12. Community Center Sign – Flags were removed for grass mowing so those need to be remarked for Gateway to design what needs to be done to have the sign installed.
13. Community Center / Park Security Camera Quotes – The Parks and Recreation Director presented estimates from David Davis and Security Systems including locations and visual capabilities for the Board to consider.
- A motion was made by Mr. Friend and seconded by Mr. Marcischak to award the quote for Security Cameras at the Chartiers Township Community Center to Security Systems in the amount of \$6,113.70 in accordance with their quote as recommended by the Township Manager & Parks & Recreation Director contingent upon consultation regarding additional pole installation.. All Supervisors voted yes. The motion carried.
14. Grading Ordinance Amendment – The Township Planner highlighted the proposed Ordinance.
- A motion was made by Mr. Friend and seconded by Mr. Marcischak authorizing the Township Planner to advertise the proposed Grading Ordinance Amendment for action at the June 26, 2018 meeting. All Supervisors voted yes. The motion carried

15. Plum Run Road Bridge Repair – Mrs. Noble reported that there will be an informational review meeting in the next week.
16. ≡
17. Veronica Drive Cul-de-sac Completion Request – Gateway is laying out the Right of Way area for the Township Public Works to put in a stone base cul-de-sac with paving inclusion for the 2019 Road Program.
18. Arden Mines Road Private Sewer Request/DEP – Mrs. Noble shared that Gateway amended the Act 537 Plan including a water and waste disposal segment.
19. Multi-Modal Transportation Grant Opportunity – Mrs. Noble shared information on the opportunity to submit a no-match Parks related projects Growing Greener Grant application in conjunction with the Multi-Modal Grant application.
20. 8 Crossroads Road Code Enforcement – Discussion focused on options to complete the court ordered demolition.
  - A motion was made by Mr. Friend and seconded by Mr. Marcischak authorizing the Township Manager to advertise the specifications for property clean-up and apply for a structure burning permit from the PA DEP. All Supervisors voted yes. The motion carried
21. Clean Up Day Debrief/Follow-up – Discussion centered on the difficulties Waste Management had in fulfilling their contract within a reasonable time. Excessive resident complaints were logged over a three (3) week period of items not being collected resulting in the Public Works Department completing pick-up.
  - A motion was made by Mr. Friend and seconded by Mr. Marcischak authorizing the Township Manager to deduct the Township's Cost of \$2,725.00 from the \$13,500.00 Waste Management bid contract for completion of the missed areas of the Annual Pick-up that WM was unable to complete the service in a reasonable time period. All Supervisors voted yes. The motion carried.
22. 2020 Census – Mr. McGurk is working on the first phase to update and add new streets and addresses to keep pace with the growth in the Township in preparation for the 2020 Census.

**PUBLIC COMMENT:**

None

**ADJOURNMENT:**

The meeting adjourned at 5:55 P.M.

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John Marcischak

Bev Small – Recording Secretary

Secretary