

CHARTIERS TOWNSHIP
BOARD OF SUPERVISORS MEETING

June 9, 2015

4:00 p.m.

Mr. A. William Kiehl called the regular meeting of the Chartiers Township Board of Supervisors at 4:00 p.m., Tuesday June 9, 2015, at which time he asked all present to stand for the pledge of allegiance.

ATTENDANCE

Attending this meeting were Supervisors Richard W. Metzler, John M. Marcischak and Mr. Kiehl. Also in attendance were James Liekar-Solicitor; Jodi L. Noble-Township Manager; Daniel Slagle-Township Engineer; Edward Jeffries-Public Works Director; Bob Brozovich-Community Center Manager; Samuel R. Stockton-Community Development Coordinator and Wendy Williams-Recording Secretary.

EXECUTIVE SESSION ANNOUNCEMENT

Mr. Kiehl announced that a majority of the Board of Supervisors met in Executive Session on Tuesday, June 02, 2015 from 9:00 a.m. to 12 p.m., on Thursday June 4, 2015 from 9:00 a.m. to 10:30 a.m., Monday June 8, 2015 from 1:00 p.m. to 3:00 p.m. to discuss personnel matters, litigation, contract negotiations and for legal consultation for conditional uses.

VISITORS TIME:

Mr. Chip Polly of 125 Pine Avenue, 127 Pine Avenue, 118, 120 and 122 Houston PA owners of the properties listed, now living in Somerset, PA is concerned with the parking on Pine Avenue. There were two (2) fires on Pine Avenue. There was a fire hydrant 90-ft from the fire; however, the hydrant was blocked due to the parking on the street.

DEVELOPERS TIME:

1. A motion was made by Mr. Metzler and seconded by Mr. Marcischak to reapprove the Woods Edge Subdivision; previously approved September 23, 2014 in order to facilitate the plan accordingly as the time limit has expired. All Supervisors voted yes. The motion was carried.
2. A motion was made by Mr. Metzler and seconded by Mr. Marcischak to approve the Escrow Agreement with Hawthorne Partners II, LLC and Washington Financial Bank to serve as financial security for the Woods Edge Plan of Lots in accordance with the Developer's agreement approved May 12, 2015, as recommended by the Township Manager. All Supervisors voted yes. The motion was carried.
3. A motion was made by Mr. Metzler and seconded by Mr. Marcischak to table the Clara Little Gas Well Conditional Use application in accordance with the public hearing of April 28, 2015 and and approve an extension until June 23, 2015. All Supervisors voted yes. The motion

carried. Mrs. Noble read an email to Mr. Liekar from Blaine Lucas, Attorney at Law, of Babst/Calland and entered into record as follows:

Dear Mr. Liekar:

“This firm represents Range Resources-Appalachia, LLC. Range hereby consents to an extension of time for Chartiers Township to render a written decision on Range’s currently pending conditional use application for the Moritz and Clara Little well sites until June 23, 2015. If you have any questions please feel free to contact me.

Yours very truly,
Blaine A. Lucas

4. A motion was made by Mr. Metzler and seconded by Mr. Marcischak to table the Edward Moritz Gas Well Conditional Use application in accordance with the Public Hearing of April 28, 2015, until June 23, 2015. The motion carried 2-1-0.

STAFF REPORTS:

Township Manager – Mrs. Noble provided a written report to the Board

Planning/Zoning Officer – Mr. Stockton provided a written report to the Board

Community Center Manager – Mr. Brozovich provided a written report to Board

Public Works Director – Edward Jeffries reported on the following:

- Park – Both parks are ready
- Buildings – Will be installing flag pole and pouring footer for the time capsule.
- Ditching – Will be renting a mini grader from Goff Equipment to ditch the country roads.
- Street Sweeping – They will be back the week of the 22nd of June.
- Mowing – We are approximately 70 percent done with the first cut of the year.
- Asphalt – Arthur Road, Clarke Street, Pine Alley, Poplar Alley, Hickory Alley near the Library, Allison Avenue and Parker Street.
- Community Center – Fire Hydrant will be installed this week by Strinisha Excavation for \$10,400.00.

Township Engineer:

Mr. Slagle gave an update of Development Proposals as follow:

Development Proposals

1. MarkWest Railyard Site Plan - The Site Plan was submitted on March 2, 2015 with comments on 4/8/2015 for consideration at the last Planning Commission Meeting on 4/21/2015. The Plan basically consists of the construction of a LPG Tank Pad and Administrative Building for the existing Railyard. The primary concern is safety, proximity to the existing houses, lighting and sewer service. The plan was resubmitted on May 6, 2015.
2. MarkWest Admin. Building Site Plan - The Site Plan was submitted on June 4, 2015 with comments on 6/9/2015 for consideration at the next Planning Commission Meeting on 6/16/2015. The Plan basically consists of the construction of an Administrative Building for the existing Gas Plant Site. The primary concern is sewer service.
3. PARCO Grading Plan – The Grading Plan was submitted on 2/17/2015 with comments on 2/23/2015 to expand an existing Storage Lot along Johnson Road. The primary concern is floodplain encroachment and stormwater. Waiting for revised plans.
4. Range Moritz Grading Plan – The Grading Plan (Permitted Conditional Use) was resubmitted on 3/17/2015 with comments on 4/10/2015 to create a new 3.5 Acre Well Pad along Arthurs Road. The primary concern is the widening of Arthur Road and Conditions.
5. Range Clara Little Grading Plan – The Grading Plan (Permitted Conditional Use) was resubmitted on 3/16/2015 with comments on 5/11/2015 to create a New 2.5 Acre Well Pad along Meddings Road. The primary concern is Conditions.
6. Range Bird Run Grading Plan – The Grading Plan (Permitted Conditional Use) was resubmitted on 4/1/2015 with comments on 4/10/2015 to create a New 2.5 Acre Well Pad along Kings Road. The primary concern is stormwater discharge, lighting and noise.
7. Pending SALDO Plans – The SALDO Plans on the Horizon for possible consideration at upcoming Planning Commission Meetings include: Horizon Warehouse Site Plan, Paxton Grove Subdivision Plan PH 2, SBA Tower Stormwater Plan and Marcellus Access Roads.

Mr. Slagle gave an update of Capital Improvement Projects as follows:

Capital Improvement Projects

1. Midland Sewer Project – The Project is approximately 99 percent complete. Change Order No. 1 converting trench repair to roadway overlay was submitted to PaDEP for approval. We are actively contacting the Township residents/responding to final restoration. We are preparing the Final Estimate based on our meeting 5/27/2015.

2. PennVEST Drawdown Request – We are waiting for PaDEP’s approval of Change Order No.1 to submit the Eleventh PennVEST Drawdown request.
3. Piatt Off-Site Sewer Project – The Township could formally accept/adopt this sewer as a Public Sewer with the condition that the Developer removes the stone Rip-Rap in the stream along Arthurs Road as required by the Army Corps of Engineers/PaDEP/WCCD prior to Closing-Out of the NPDES Permit. Close-Out documents were executed by the Developer on 9/18/2014. Consideration needs to be given to mandatory connections.
4. Piatt Off-Site Sewer District – We have prepared Piatt Off-Site Sewer District as requested by the Developer in accordance with Act 57 which establishes a reimbursement component of \$500/EDU with a \$25.00/EDU Township Administration Fee.
5. Chartiers Industrial Park Sewer Extension – We have completed the design and met with the Developer on 4/17/2015 regarding alternate sewer route. We have prepared sewer easements for the Developers acquisition.
6. McClane Farm Road LSA Grant Application – RAWC offered \$250,000 which increases the proposed monthly fee from \$50.00 to \$94.36. This monthly fee could reduced by blending the existing customers into this sewer district, reducing the project scope or if the bids come in under budget.
7. McClane Farm Road Act 537 Plan – The approved Act 537 Plan requires that the project be completed by June 2016.
8. McClane Farm Road PennVEST Loan – The next window for PennVEST Loan/Grant applications is August 19, 2015.

Mr. Slagle gave an update of On-going Developer Projects as follows:

On-Going Developer Projects

1. Piatt Estates Plan PH I/ PH 2A – Construction (PH I) started October 22, 2013 and was completed on 6/20/14. Construction (PH 2A) started 10/17/2014 and was completed on 11/17/2014. We requested revised As-Built Drawings of the plan.
2. Arden Mills Revised PRD PH 4 – Construction started on 10/17/2014. We are providing construction surveillance.
3. Sunoco/Mariner Pipeline Grading Plan – We met with Sunoco on 4/28/2015 to review the roadway safety repairs prior to the bond release. We marked the defects on Paxton Farm Road on 5/6/2015. We mark the damaged portions of the roads and prepared a cost estimate of \$202,651 vs the Bond amount of \$206,250. A follow-up meeting is scheduled for this week.

4. Arden Mills PRD Plan PH III – We are reviewing the As-Builts for the roadway and the original plan.
5. Kingston Estates PH I – We prepared a letter of Final Matters requesting As-Built Plans for PH I before adoption by the Township. The Developer is currently preparing the As-Built Plans. No Further Action.
6. Summit Plan PH I – The Developer requested that the Township take over PH I on 3/12/2015. We prepared a letter of Final Matters on 4/7/2015 requesting As-Built Plans for PH I before adoption by the Township. The Developer paved the PH II road system on 5/15/2015.
7. Arden Mills Revised PRD Phase 5 – Construction started 5/19/2015.
8. Hawk’s Landing Subdivision Plan – We is scheduled to start this month.

Mr. Slagle gave an update of On-Going Township Projects as follows:

On-Going Township Projects

1. 2015 Sewer Rehabilitation Project – The project is scheduled to start on 6/12/2015.
2. CHJA Hydraulic Overload – CHJA has threatened to proceed with the design and construction of PH I/II at a cost of \$47.5M in CONFLICT with the Act 537 Plan.
3. Summit Storm Sewer Project – The Contractor completed the work on 12/10/2014. We prepared/submitted the Final Estimate (\$28,904.20) to the Developer for payment.
4. 2015 Paving Project - The project is scheduled to start after 6/1/2015 for the 2015 Paving Project which includes: Green/Riggle/Haft Streets/Linda Lane/Upper McClane Farm Road/Hayes & Pine Avenues.
5. Detention Basin Ownership/Maintenance Fund – We have prepared for the Township’s consideration the Special Purpose Stormwater Maintenance Fee consistent with the Township’s Act 167 Stormwater Management Plan.
6. PaDEP Grant Opportunity Grant – We prepared the Grant application to utilize the \$20,000 grant for a sidewalk project at the Community Center either to serve the playground/pavilion area which was submitted by the Manager.
7. Silver Maple Extension – Acquired survey data, inspected the site, and prepared a preliminary estimate to extend the road. Provided data to Shellenberger Contracting for quote.

Township Solicitor – No report

SUPERVISOR REPORTS:

Mr. Metzler – No report

Mr. Marcischak – No report

Mr. Metzler – No report

OLD BUSINESS:

1. A motion was made by Mr. Metzler and seconded by Mr. Marcischak to award the bid for the Railroad Street Bridge Project to Slusarczyk Excavating and Landscaping Supply of West Brownsville in the amount of \$84,999 as recommended by the Project Engineer and in accordance with the Public Bid opening of June 5, 2015. All Supervisors voted yes. The motion was carried. (The Project Engineer is to coordinate the timing with the Residents and Fire Department relating to the ingress and egress routes). Mr. Harshman has been in touch with the Contractor and the project should begin the first week of July.
2. Mr. Kiehl recessed the regular meeting at 4:10 p.m. to conduct the Public Hearing on West Pike Street Overlay Ordinance, Ordinance No. 349.

PUBLIC HEARING

Mrs. Noble – Township Manager – “What this does that the zoning overlay applies special conditions from First Street down to the Township Boarder, by the Meadow Lands Interchange providing special setbacks and lighting and streetscape requirements, driveway access requirements in attempt to redevelop the area in a cohesive manner to raise the standard to begin to develop the area.”

Mr. Metzler – “The only change was the 50-ft setback from Chartiers Creek to enable some future of a Chartiers Creek Trail. That’s the only difference.”

Mr. Kiehl: “Do we have any public comment? Hearing non I will call for a motion to close the hearing on the on the West Pike Street Overlay Ordinance”

A motion was made by Mr. Metzler and seconded by Mr. Marcischak to close the hearing All Supervisors voted yes. The motion was carried.

3. A motion was made by Mr. Metzler and seconded by Mr. Marcischak to adopt Ordinance 349 amending Chapter 350 of the Chartiers Township Code of Ordinances, Zoning, to establish the West Pike Street Overlay District and set forth regulations related thereto as recommended by the Chartiers Township Planning Commission at their regular meeting of November 18, 2014. All Supervisors voted yes. The motion was carried

4. Mr. Kiehl recessed the regular meeting at 4:12 p.m. to conduct the Public Hearing on Ordinance 350, Plum Run Rezoning.

PUBLIC HEARING:

Mr. Stockton: “As you may recall the Zoning request was on a parcel owned by Plum Road LLC whose 9. Plus acre was divided one-third-2 thirds approximately into I-1 in the front and R-2 in the rear portion that goes along Plum Run Road. I recommend the Board to consider it; due to the fact that in the initial rezoning was done they should have followed the property lines rather than bisecting a parcel.”

Mr. Kiehl: “Do we have anybody here representing the applicant?”

“My name is Robert Sapsara, Vice President of Crossgates Inc. and I represent Plum Road Associates. We are the General; Manager of the property. Our request is simply, as Sam has stated, rezoning of that area they arbitrarily bisected our property and created the two different zoning districts. We are asking to follow the property lines at it be rezoned Industrial and we are here today to answer any questions.”

Mr. Kiehl – “Is there any public comment?”

Courtney Loaman of 34 Putorti Lane, Canonsburg, PA – If the change is made, what business is going in there?”

Mr. Stockton read from the Chartiers Township Zoning Ordinance Uses by Right; Special Exceptions and Conditional Uses in an Industrial District.

Mr. Metzler: “Is this considered spot zoning?”

Mr. Liekar: “No, you can’t zone half a property. If they petition the Zoning Hearing Board, they should zone the whole property. This is only correcting where the zoning line should be going?”

Mr. Kiehl called for a motion to close the public hearing.

5. A motion was made by Mr. Metzler and seconded by Mr. Marcischak to close the hearing at 4:20 p.m. All Supervisors voted yes. The motion was carried.

6. A motion was made by Mr. Metzler and seconded by Mr. Marcischak to rezone a portion of a certain tract of land located at 585 Plum Run Road, known as Washington County Parcel No. 170-006-00-00-0015-04 from R-2 to I-1 and adopt Ordinance No. 350-2015 accordingly recommended by the Chartiers Township Planning Commission at their meeting of April 21, 2015. All Supervisors voted yes. Motion carried.

NEW BUSINESS:

1. A motion was made by Mr. Metzler and seconded by Mr. Marcischak to approve the operating agreement with Louis Caley for the Rainbow Express for Celebrate Chartiers Day in the amount of \$350.00 as recommended by the Chartiers Township Parks and Recreation Committee. All Supervisors voted yes. The motion was carried.
2. A motion was made by Mr. Metzler and seconded by Mr. Marcischak to approve the operating agreement with Entertainment by “Coco” for air brush tattoos and balloon are for Celebrate Chartiers Day in the amount of \$500 as recommended by the Chartiers Township Parks and Recreation Committee. All Supervisors voted yes. The motion was carried.
3. A motion was made by Mr. Metzler and seconded by Mr. Marcischak to approve the agreement with Barnyard Petty Zoo and Pony Rides for celebrate Chartiers Day in the amount of \$1,500 as recommended by the Chartiers Day in the amount of \$1,500 as recommended by the Chartiers Township Parks and Recreation Committee. All Supervisors voted yes. The motion was carried.
4. A motion was made by Mr. Metzler and seconded by Mr. Marcischak to approve the agreement with Faces by Christina for Celebrate Chartiers Day in the amount of \$225 as recommendation by the Chartiers Township Parks and Recreation Committee. All Supervisors voted yes. The motion was carried.
5. A motion was made by Mr. Metzler and seconded by Mr. Marcischak to authorize payment of Invoices (General Fund: Check #30153-#30190: \$100,440.03; Light/Fire Hydrant Fund: Check #1518-#1520: \$9,405.02; Act 13 Impact Fee Fund: Check #1065: \$11,800.80; Sewer Fund: Check #2848-#2854: \$4,297.50; Revenue Gaming Fund: Check #1036: \$12,600.00; Local Service Tax Fund: Check #1050-1051: \$796.50; RT 18 SLE Fund: Check #1210: \$511.02; Operating Reserve Fund: Check #1351: \$2,913.00; Parks and Recreation Growing Greener: Check #1134: \$116. \$116.71; Community Center Operating Fund: Check #1096-#1102: \$1,332.99; Total All Funds: \$144,213.57). All Supervisors voted yes. The motion was carried.

DISCUSSION ITEMS:

1. Meddings Road - Mr. Jamie Harshman gave up dated proposals for the emergency repair to Meddings Road slide .Range Resource’s contribution is to provide all the stone. Four proposals have been received for the emergency repair. Strnisha Excavation is the low bidder at the total cost of \$28,725.00. Mr. Harshman recommended awarding the bid to Strinsha Excavation.
2. A motion was made by Mr. Metzler and seconded by Mr. Marcischak to conditionally award the contract to Strinsha Excavation at the total cost of \$28,725.00 upon the Solicitor being satisfied with all the proper documentation being in place. All Supervisors voted yes. The motion was carried.

3. Server Replacement – The Township’s I T Consultant has provided a quote advising the operating system on our server Microsoft has stopped support and recommends a new server at a cost of \$2,999.99. A motion was made by Mr. Metzler and seconded by Mr. Marcischak to authorize the purchase for the total cost of \$2,999.99. All Supervisors voted yes. The motion was carried.

PUBLIC COMMENT:

None

ADJOURNMENT:

The meeting adjourned at 4:28 p.m.

John M. Marcischak
Secretary

Wendy Williams – Recording Secretary