

CHARTIERS TOWNSHIP
BOARD OF SUPERVISORS MEETING
July 16, 2013

Richard W. Metzler, Chairman called the regular meeting of the Chartiers Township Board of Supervisors to order at 7:01 pm on Tuesday, July 16, 2013, at which time Mr. Metzler asked all present to stand for the pledge of allegiance.

ATTENDANCE:

Attending this evenings meeting were A. William Kiehl, John M. Marcischak, and Mr. Metzler. Additionally in attendance were: James Liekar-Solicitor; Mrs. Jodi L Noble – Township Manager; Daniel Slagle-Township Engineer; Samuel R. Stockton-Community Development Coordinator; and Wendy Williams-Recording Secretary.

EXECUTIVE SESSION ANNOUNCEMENT:

Mr. Metzler announced the Chartiers Township Board of Supervisors met in an executive session on Friday July 5, 2013 from 9:22 am – 11:02 a.m. to receive advice from the Solicitor and discuss potential litigation and 6:30 pm this evening to 7:00 p.m. to discuss real property and potential litigation.

VISITORS TIME:

Mr. Steven Cypher and Mr. Luke Rayle from the office of Cypher and Cypher presented the Township's 2012 Audited Financial Statements.

Mr. John Washabaugh addressed the Board, advising that he owns industrial property on Western Avenue and is requesting a "zoning amendment" in order to operate a mobile kitchen to provide box lunches.

A motion was made by Mr. Kiehl and seconded by Mr. Marcischak to send the zoning amendment request to the Chartiers Township Planning Commission for their consideration and recommendation. All Supervisors voted yes. Motion carried.

Mrs. Betsy Heinz, a member of the Friends approached the Board, requesting approval to have a Steeler Tailgate Party on September 29th at the large pavilion at the Houston American Legion. Tickets will be sold for the event. There will be security. There will be a 50/50 and a Chinese Auction. Tickets are \$20 per person and under 21: \$10.

The Board expressed concerns about serving alcohol beverages and asked for more information on the security arrangements for the event. Therefore, they asked the Manager to coordinate with Ms. Heinz the Police Chief to get a recommendation from our Chief of Police on appropriate security and Solicitor regarding legal concerns.

Jeff Simpson of 30 S Johnson Rd, Houston, PA 15342 addressed the Board as President of the Chartiers Township Volunteer Fire Department thanking the Board of Supervisors for their continued support. The Fire Department is requesting the Board's consideration when distributing funds through Act 13. Funds would go toward the indebtedness of the Fire Department's tanker.

Robert Bradford of McClane Farm Road, Washington, PA 15301 inquired about the status of the extension of sewers in the McClane Farm Road area. Mr. Slagle updated Mr. Bradford on the status of that sanitary project.

Robert Fetty, the Assistant Fire Chief and Emergency Management Coordinator expressed his concern that there are many residences that do not have addresses posted on properties and if there is an ordinance in the Township governing this matter it is not being enforced.

Mimi Wagner of 162 Arnold Hollow Rd, Houston PA 15342 wanted to express her thanks that the Public Works Department did an awesome job during the recent storm and all the flooding.

DEVELOPERS TIME:

A motion was made by Mr. Kiehl and seconded by Mr. Marcischak to approve the Preliminary/Final Oak Grove Gas Plant Land Development as recommended by the Chartiers Township Planning Commission at their regular meeting of June 25, 2013 and contingent on satisfying the outstanding items in the Township Engineer's letter dated June 11, 2013.

A discussion followed and the "Stormwater Management Plan" has not been completely addressed. Mr. Stockton has acquired an extension of time of August 31, 2013. Mr. Kiehl withdrew his motion and Mr. Marcischak withdrew his second.

A motion was made By Mr. Kiehl and seconded by Mr. Marcischak to table the Oak Grove Gas Plant Land Development until the August 13, 2013 meeting. All Supervisors voted yes. Motion carried.

A motion was made by Mr. Metzler and seconded by Mr. Marcischak to deny the Revised Tentative Plan of the Arden Mills Planned Residential Development due to the Developer has not complied with the Subdivision and Land Development Ordinance with regard to the length of the cul-de-sac. All Supervisors voted yes. Motion carried.

A motion was made by Mr. Kiehl and seconded by Mr. Marcischak to approve the Developers Agreement for the Piatt Estates Plan of lots, Phase 1 as recommended by the Township Solicitor, including the required financial security. All Supervisors voted yes. Motion carried.

APPROVAL OF MINUTES (Posted on Bulletin Board)

A motion was made by Mr. Kiehl and seconded by Mr. Marcischak to approve the Board of Supervisors Meeting Minutes for the Workshop of June 11, 2013, Public Hearing of June 18,

2013 and Regular Meeting of June 18, 2013, as presented. All Supervisors voted yes. Motion carried.

STAFF REPORTS:

Township Manager – Jodi L. Noble

Mr. Metzler advised that the Township received a complaint of the odor of gas from the abandon gas well in front of the Public Works Garage. DEP was to cap that tank a year ago – they haven't done so. Mr. Metzler advised that the Township shares the complainant's concerns about the abandoned well and asked Mr. Liekar and Mrs. Noble is to contact our the DEP and our State Representatives, if necessary, regarding the Township's request of closing off the gas well.

Community Development Coordinator – Samuel R. Stockton

Mr. Stockton informed the Board regarding the Zoning Hearing Board meeting of July 15, 2013. The Board denied the request from Gary and Joyce Mariani of 10 White Tail Drive, Washington to operate a "Firing Range".

Township Engineer – Daniel Slagle

Mr. Slagle updated the Board on the following Development Proposals:

1. Piatt Estates Plan – Final Plan PH I – The revised Piatt Estates Master Plan was approved for a 163 lot, 4 phased subdivision on a 106.9 Acre tract. The Developer plans to revise the Master Plan to eliminate a Cul-De-Sac and loop the road system in PH III/IV. We received/reviewed the Developers Agreement, prepared a material breakdown and established the Bonding requirement for PH I.
2. Arden Mills Revised PRD Plan – The revised Tentative Master Plan now breaks the residual property into PH 4, 5 and 6 consisting of 100 dwelling units on 129.94 acre tract. The plan went before and was approved by the PC on 6/25/2013. We received/reviewed revised plans submitted 5/2/2013 and prepared revised letter dated 5/13/2013. The major issues include the Overlap of the Conservation Easement, long Cul-De-Sac (2,752'), PaDOT approval and Detention Basin Ownership.
3. Oak Grove Site Plan – We received/reviewed revised plans submitted 6/18/2013 and 6/21/2013 prepared revised letter dated 6/20/2013 and 6/24/2013 regarding the revised site plan. The Oak Grove Site Plan was approved at the 6/25/2013 Planning Commission Meeting based on NSE letter dated 6/24/2013. The plan basically consists of constructing a meter station on a grave pad on the Kotyk property one 18.63 Acre lot into 2 lots along SR. 519.
4. Pending SALDO Plans – Potential SALDO Plans up for possible consideration at the next for Planning Commission Meeting on June 25, 2013 include: Bitz Subdivision and the Oak Grove Gas Plant Site Plan (Conditional Use).

Mr. Slagle updated the Board on the following Capital Improvement Projects:

1. Midland Sewer Project – We met with PaDOT on 5/6/2013 to resolve comments/utility conflicts. We prepared detailed roadway cross-sections/plans and resubmitted application. Public bids were received on May 17, 2013. There were 20 potential bidders with 11 submitting bids ranging from \$2,556,745 to \$4,524,070. We evaluated the contractor's references/financial data. We prepared a draft Construction Notice for distribution to the Midland Township residents.
2. Midland Sewer R/W – A Townhall meeting was held on November 13, 2012 to update the Township residents/acquire the required R/W's. The Solicitor is currently acquiring outstanding R/W's and developed acquisition plan. The Township Solicitor is preparing the Declaration of Taking for the residual R/W's.
3. Chartiers Township Community Center – We plan to meet with the contractor and Manager in the near future to coordinate the roadway/sidewalk installation.
4. PennVEST Settlement – We have developed a list and are compiling the required loan closing documentation with the assistance with the Manager and Solicitor.

On-Going Developer Projects

1. Summit Plan PRD PH II – We met with the Developer on March 28, 2013 to discuss the Detention Basin discharge onto the Tehan Property. We plan to perform a final inspection (Final Matters) and request As-Built plans for this PRD.
2. Arden Mills PRD Plan PH III – We have reviewed the As-Built Plan and provided a comment letter regarding project deficiencies. The Major Issues consist of inadequate site drainage, flat sewer, floodplain/wetland intrusion.

Mr. Slagle updated the Board on the following on-going Township Projects:

1. Municipal Separate Storm Sewer System (MS4) – We are preparing the MS4 Annual Report. We will schedule a meeting with the Township staff to review Policies/Procedures regarding the MS4 Program. We need to sample/monitor the water quality for Plum Run in accordance with the MS4 Program.
2. 2013 Paving Project – The 2013 Paving Program has been awarded to Victor Paving. The Contract Documents and been prepared/executed. Paving is scheduled for the end of August/early September weather permitting.
3. 2013 Sewer Rehabilitation Project – The 2013 Sewer Rehabilitation Project has been awarded to Process Contracting Company. The Contract Documents were prepared/sent to the contractor. Construction is scheduled for the end of July/early August weather permitting.
4. Riggle Street Sewer Backup – We reviewed the Sewer Backup on Riggle Street, performed 2 spot repairs and CCTV'd the sewer. The sewer had numerous wyes with a lesser number

of homes. Recommend dye testing houses. Possible rescheduling this road for paving in 2014 and reallocating funds to sewer repairs.

5. McClane Farm Act 537 Plan - The Preliminary McClane Farm Act 537 Plan is complete. All the supporting documentation, Exhibits and government approvals are completed. The Manager posted the Public Notice on June 24, 2013 for the 30 day comment period, consideration/Adoption by the Supervisors.
6. LSA Grant Application – Grant applications are due in October 2013.

A motion was made by Mr. Kiehl and seconded by Mr. Marcischak to adopt the Resolution for the Act 537 Plan for McClane Farm Road. All Supervisors voted yes. Motion carried.

A motion was made by Mr. Kiehl and seconded by Mr. Marcischak to substitute Riggle Street from the 2013 Paving Project and authorize the Manager, at her discretion, to replace a comparable road into the program. All Supervisors voted yes. Motion carried.

A motion was made by Mr. Kiehl and seconded by Mr. Marcischak to authorize the Township Manager to send a letter to Hawthorne Partners Inc. concerning submittal of a final plan for remediating the drainage problem within 30 days on McClane Farm Road. All Supervisors voted yes. Motion carried.

Township Solicitor – James Liekar, had no report

SUPERVISOR REPORTS:

Mr. Kiehl:

Mr. Kiehl commended the Public Works Department, Police Department and Fire Department for their work during the recent storms.

Mr. Marcischak: No report

Mr. Metzler: No report

OLD BUSINESS:

A motion was made by Mr. Kiehl and seconded by Mr. Marcischak to authorize Change Order No. 5 for Kusevich Contracting Inc. for the Chartiers Township Community Center project in the amount of \$4,146.00 for the time and material cost to install the perforated drain pipe and stone behind the waterline on the North side of the community center, as recommended by the project architect. All Supervisors voted yes. Motion carried.

A motion was made by Mr. Kiehl and seconded by Mr. Marcischak to authorize Change Order No. 6 for Kusevich Contracting Inc., for the Chartiers Township Community Center project in the amount of \$4,709.00 for all labor, material, and equipment to install (4) inch perforated drain

pipe to the new outlet structure near the wetlands area east of the building, as recommended by the project architect. All Supervisors voted yes. Motion carried.

A motion was made by Mr. Kiehl and seconded by Mr. Marcischak to authorize Change Order No. 7 for Kusevich Contracting Inc., for the Chartiers Township Community Center project in the amount of -\$2871.00 credit for 200 linear feet of five (5) inch electrical conduit that has been deleted from Kusevich's scope of work; this is due to the final location of the transformer and the pole starting location, as recommended by the project architect. All Supervisors voted yes. Motion carried.

A motion was made by Mr. Kiehl and seconded by Mr. Marcischak to table, until the meeting August 13, 2013, approval contractor payment request No 6 to Kusevich Contracting, Inc. for the Chartiers Township Community Center in the amount of \$61,076.77 and have Mrs. Noble send the bill to the architect for recalculation. All Supervisors voted yes. Motion carried.

A motion was made by Mr. Kiehl and seconded by Mr. Marcischak to approve contractor payment request No. 3 to Mele Mechanical LLC for the Chartiers Township Community Center in the amount of \$15,997.50 as recommended by the project architect in the application and certificate for payments dated July 11, 2013. All Supervisors voted yes. Motion carried.

A motion was made by Mr. Kiehl and seconded by Mr. Marcischak to approve contractor payment request No. 3 to D&G Mechanical Inc. for the Chartiers Community Center in the amount of \$47,700.00 as recommended by the project architect in the application and certificate for payment dated July 11, 2013. All Supervisors voted yes. Motion carried.

A motion was made by Mr. Kiehl and seconded by Mr. Kiehl and seconded by Mr. Marcischak to approve contractor payment request No. 5 to Schultz Electric Inc. for the Chartiers Township Community Center in the amount of \$4,664.39 as recommended by the project architect in the application and certificate for payment dated July 11, 2013. All Supervisors voted yes. Motion carried.

A motion was made by Mr. Kiehl and seconded by Mr. Marcischak to authorize the Township Solicitor to file declarations of taking for any outstanding rights-of-way for the Midland Sewer Project. All Supervisors voted yes. Motion carried.

NEW BUSINESS:

A motion was made by Mr. Kiehl and seconded by Mr. Marcischak to table awarding the bid for the Midland Sewer Project to John T. Subrick, Inc. of Eighty Four, PA in the amount of \$2,556,745.00 in accordance with the certified bid tabulation dated May 17, 2013 and the public bid opening of the same date, until the meeting at 4:00 p.m., August 13, 2013. All Supervisors voted yes. Motion carried.

A motion was made by Mr. Kiehl and seconded by Mr. Marcischak to amend Chapter 350 of the Chartiers Township Code of Ordinances, Zoning to allow the Board of Supervisors to appoint a three (3) or five (5) member Zoning Hearing Board in accordance with the Pennsylvania

Municipal Planning Code and adopt Ordinance No. 342-13, accordingly, as recommended by the Township Manager and the Township Solicitor. All Supervisors voted yes. Motion carried.

A motion was made by Mr. Kiehl and seconded by Mr. Marcischak to enter into an agreement with Range Resources-Appalachia LLC for the leasing of oil and gas development rights for Arnold Park in the form acceptable to the Township Solicitor. All Supervisors voted yes. Motion carried.

A motion was made by Mr. Kiehl and seconded by Mr. Marcischak to ratify the agreement with Rukus Sports LLC to provide police coverage for the event on July 13, 2013 as previously approved by the Township Manager and recommended by the Chief of Police. Motion carried. All Supervisors voted yes. Motion carried.

A motion was made by Mr. Kiehl and seconded by Mr. Marcischak to appoint the firm of Lennon, Smith, Souleret to serve as consulting engineer on the design, specifications and construction management of Allison Hollow Road. All Supervisors voted yes. Motion carried.

A motion was made by Mr. Kiehl and seconded by Mr. Marcischak to authorize payment of invoices (General Fund: check #28351-#28413: \$204,031.14; Light Fund: Check #1452, #1453: \$4,555.77; Fire Hydrant Fund Check #1463, #1464: \$3,888.05; Act 13 Impact Fee Fund: Check #1003: \$50,000.00; Engineer Review Escrow Account: Check #1006, #1007: \$11,418.00; Sewer Fund: Check #2646 - #2655: \$61,993.22; Sewer Money Market Account: Check #1003: \$101,248.76 (CHJSA Treatment Cost); RT. 18 SLE Fund: Check #1143-#1146: \$55,350.48; Arnold Park Fund: Check #1351-#1314: \$454.65; Operating Reserve Fund: Check #1311-1314: \$157,736.43; Liquid Fuels Fund: Check #1446: \$714.15; Parks & Recreation Growing Greener: Check #1064, #1065: \$3,893.90; Total All Funds: \$655,284.55). All Supervisors voted yes. Motion carried.

DISCUSSION ITEMS:

A motion was made by Mr. Kiehl and seconded by Mr. Marcischak to grant the request from the Chartiers-Houston Girls Softball Association to waive the pavilion rental fee. All Supervisors voted yes. Motion carried.

Cul-de-sac lengths: Discussion followed with a recommendation to have the Township Manager to look into detail at the Planning Commission's recommendation and some other ordinances in other Municipalities and submit a recommendation to the Board.

LSA Grant Submission: A motion was made by Mr. Kiehl and seconded by Mr. Marcischak to prepare an LSA Grant Application for the McClane Farm Road Sewer Project to Washington County for their consideration. All Supervisors voted yes. Motion carried.

Storm Event of July 8, 2013: The Township needs to know the intensity of the storm; the damage that was done and trees down and corrective action to take and the number of homes that had to be pumped out. Forms are to be dropped off by the Township Emergency Management Coordinator.

The Board discussed and approved pursuing the following items for the Chartiers Township Community Center:

- New kitchen change orders: \$44,000 to equipment the whole kitchen and we are ready to bid on the kitchen
- Security System wiring: have the wiring and conduit done
- Sound System
- Cable/Phone/Internet:

Ms. Noble advised that she met with Comcast today and they need to know where we needed cable. The Manager's thought was in the big banquet room and conference room. The Board also suggested cable in the Senior Room and a wireless connection through the building.

ADJOURNMENT:

The meeting was adjourned at 8:57 p.m.

John M. Marcischak
Secretary

Wendy Williams, Recording Secretary