

CHARTIERS TOWNSHIP
BOARD OF SUPERVISORS MEETING
SEPTEMBER 17, 2013

Richard Metzler – Chairman called the regular meeting of the Chartiers Township Board of Supervisors to order at 7:00 p.m. Tuesday September 17, 2013, at which time he asked all present to stand for the pledge of allegiance.

ATTENDANCE

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

VISITORS TIME:

Mr. Sam Lauricia, the Former Owner of the Meadow Inn at 595 Race Track Road asked the Board about the status of the balance due him on the right-of-way condemned for the intersection project. Mr. Liekar explained that there was a declaration of taking filed on the property at the corner of Race Track Road and Pike Street. There were 10 or 12 done that were paid off and Mr. Lauricia went before a Board of Viewers on January 7, 2012. The Board of Viewers awarded him an additional \$19,100, but he was not paid. All the paper work was sent to PENNDOT and it wasn't paid. Mr. Liekar spoke to the Local Chief Deputy Council for PENNDOT in Pittsburgh and sent all the documentation, agreements between the Township and PENNDOT for costs. Mr. Sisal from Uniontown, Project Manager, was also notified about paying Mr. Lauricia. They sent the paperwork to Harrisburg. This was a PennDOT project. PennDOT paid all the costs. PennDOT paid of the takings of rights-of-way. Mr. Liekar advised the Board that this is a PENNDOT Project and it is PENNDOT'S responsibility. Mr. Lauricia is seeking \$19,100 plus statutory interest dating from October 23, 2007. Mr. Liekar stated the interest is 5%. PennDOT is looking at the agreements on the condition the Township should pay and the State would reimburse the Township. This would not be done unless the State gives the Township some guarantee in writing. An answer should be received within 30 days.

DEVELOPERS TIME

Daniel Bitz was present and stated he is subdividing a 5-acre tract into two parcels (1 at 1-acre and 1 at 4-acres). In addition to retaining the home there, he wishes to continue to keep livestock on the 4-acre tract. Mr. Bitz must appeal to the Zoning Hearing Board because the lot requirement for that use requires five acres. Mr. Bitz granted the Board a 60-day extension until November 30, 2013, to consider his application. This will afford him time to seek the variance in advance of the Board considering his subdivision application. This is to be followed up in writing by the applicant.

A motion was made by Mr. Kiehl and seconded by Mr. Marcischak to table approval of the Bitz Subdivision. Motion carried.

A Public Hearing on the Conditional Application Request from J&W Property Holdings LLC for an Eating Establishment in an I-1 District was opened at 7:25 p.m.

Mr. Washabaugh advised the he is requesting a Conditional Use in accordance with Article 350, Section 33B, Subsection 2(b) (1) to operate an eating establishment in the I-1 Zoning District.

The eating establishment is 8'5" x 18' in size equaling 153 sq. ft. which would require 1 parking space. The location chosen is a 3 acre site with more than enough parking. The eating establishment will utilize the dumpster already on site at location of operation. The dumpster is 10 Cu. Yds. in size. The only sign for eating establishment will be vinyl decals on side of eating establishment.

Mr. Washabaugh advised that "This business will be on the J & W Property, 919 Western Avenue. What we would like to do is put a trailer on the property to serve breakfast and lunch. There will be normal working hours and no after hours. The majority of food served will be boxed lunches. There will be a couple of tables set up for patrons."

Mr. Kiehl: "Seven days?"

Mr. Washabaugh: "No. Monday through Friday."

The hearing was then opened up for public comments.

Erin Sethman of 929 Western Ave., Washington, PA 15301 advised, "I was wondering times of operation because there is going to be large trucks idling. Is it going to 5 am, 6 am?"

Mr. Washabaugh: "6am to 2 pm."

Miss: Sethman: "So there is going to be more traffic; more emissions or more risks for accidents if people are coming in for sandwiches. Is it opened to the public? You are going to have other establishments in the area losing business."

Mr. Metzler: "Where is the proximity of this property to where you live?"

Miss Sethman: "Across the road."

Mr. Kiehl: "Next to Pitz."

Miss Sethman: "Yes."

Charles Sethman of 931 Western Ave., Washington, PA 15301 advised, "The noise, every truck that comes down there is going to put on their jake brakes to pull into their lot. There's going to be dust. With MarkWest; the Fire School and now this it's just too congested."

Mr. Metzler: "I don't know how much noise five or six trucks would make in regards to our ordinance."

Dan Slagle: "Right now our ordinance states 60 decibels."

Mr. Kiehl: "Where exactly will you be setting up?"

Mr. Washabaugh: "You now were the intersection of Ullom Road and 519 are? We will be set up right inside the fence there."

Mr. Kiehl: "In front of your office."

Mr. Washabaugh: "Right."

Mr. Kiehl: "Where your trucks are?"

Mr. Washabaugh: "My trucks are gone by then. A truck can come in and back into a parking spot."

Mr. Sethman: "Once it opens what does he plan on starting this business?"

Mr. Washabaugh: "I guess it depends on what goes on tonight – tomorrow."

Mr. Metzler: "I know you have raised a number of important concerns. Again, how far away are you from this property?"

Mr. Sethman: "I would say 300-ft."

Mr. Metzler: "I understand your concerns being noise, dust, parking area being appropriate; large trucks turning around, jake brakes which we can fix; hours of operation Would you please repeat your answer to that question?"

Mr. Washabaugh: "6 am to 2 pm."

Mr. Kiehl: "Do you think there is going to be more traffic, then there is now, coming down that road?"

Mr. Sethman: "Not more traffic as far as volume, but, as far as it is traveled. If a truck comes down the road and John is just advertising – tat truck is going to make a last ditch effort to get something to eat the way it's advertised."

The hearing was closed at 7:44 pm and the Board returned to the regular meeting agenda.

A motion was made by Mr. Kiehl and seconded by Mr. Marcischak to approve the Conditional Application Request from J&W Property Holdings LLC for an Eating Establishment in the I-1

District as recommended by the Chartiers Township Planning Commission at their regular meeting of August 26, 2013.

A discussion followed with Mr. Metzler making the following comments: "I'm very sympathetic with your concerns. You live in the country and things develop even more so. I understand you are going to get dirt and noise. There is going to be stationary trucks that will be parked right there idling. I think the traffic patterns are going to change. I think dirt and dust on a gravel surface is going to be a problem. I don't know what it takes to turn these trucks around and we can fix the Jake brakes. I'm sympathetic of what you want to do in having an eating establishment there. I wouldn't mind stopping there myself. I wouldn't want to live next to it. That is why I am going to ask for a roll call vote."

Mr. Kiehl: yes; Mr. Marcischak: yes; Mr. Metzler: no. Motion carried by a majority vote 2 to 1.

APPROVAL OF MINUTES (Posted on Bulletin Board)

A motion was made by Mr. Kiehl and seconded by Mr. Marcischak to approve Board of Supervisors Meeting Minutes for the Workshop of August 13, 2013, Regular Meeting of August 20, 2013 and Special Comprehensive Plan Workshop Meeting of August 27, 2013, as presented. All Supervisors voted yes. Motion carried.

STAFF REPORTS (as necessary)

SUPERVISOR REPORTS:

Mr. Kiehl discuss that the Township was established in 1790. In two (2) years it will be 225 years old. We will have the Community Center. Should we have an appropriate celebration?

Mr. Marcischak expressed concern that the regarding the potential ballfield near the Community Center, Township needs to get plans together to make this happen.

Mr. Metzler had no report

OLD BUSINESS:

A motion was made to authorize Change Order No. 4 from Kusevich Contracting Inc. for the Chartiers Township Community Center project in the amount of \$1,026 for the installation of 6" "T" along the 8" waterline to accommodate the installation of a fire hydrant as recommended by the project architect in the certified change order dated September 12, 2013. All Supervisors voted yes. Motion carried.

A motion by Mr. Kiehl and seconded by Mr. Marcischak to approve contractor payment request No. 8 from Kusevich Contracting Inc. for the Chartiers Township Community Center in the amount of \$107,909.13 as recommended by the project architect. In the application and certificate for payment dated September 12, 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. 5 from Mele Mechanical LLC for the Chartiers Township Community Center in the amount of \$45,478.80 as recommended by the project architect in the application and certificate payment dated September 12, 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. 6 from Schultz Electric, Inc. for the Chartiers Community Center in the amount \$22,239.60 as recommended by the project architect in the application and certificate for payment dated September 12, 2013. All Supervisors voted yes. Motion carried.

A motion was made by Mr. Kiehl and seconded by Mr. Marcischak to approve the LSA Grant application for installation of a sanitary sewer line along McClane Farm Road and adopt Resolution R-14-2013 accordingly as recommended by the Township Manager and the Township Engineer. All Supervisors voted yes. Motion carried.

A motion was made by Mr. Kiehl and seconded by Mr. Marcischak to approve the revised Planning Module for Piatt Estates as recommended by the Township Engineer and adopt Resolution R-15-2013 accordingly. All Supervisors voted yes. Motion carried.

A motion made by Mr. Kiehl and seconded by Mr. Marcischak to approve the Planning Module for the Bitz Subdivision. All Supervisors voted yes. Motion carried.

NEW BUSINESS:

A motion was made by Mr. Kiehl and seconded by Mr. Marcischak to approve the Chartiers Township 2014 Minimum Municipal Obligation of \$44,214.00 for the Non-Uniform Pension Plan, the Chartiers Township Service Employees Pension Fund, pursuant to the requirements of the Pennsylvania Act 205 of 1984 as recommended by the Chief Administrative Officer and the Township Manager. All Supervisors voted yes. Motion carried.

A motion was made by Mr. Kiehl and seconded by Mr. Marcischak to approve the Chartiers Township 2014 Minimum Municipal Obligation of \$125,308.00 for the Uniformed Pension Plan, the Chartiers Township Police Pension Fund, pursuant to requirements of the Pennsylvania Act 205 of 1984 as recommended by the Chief Administrative Officer/Township Manager. 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 #28544 – Check #28558: \$38,551.95; Light Fund: Check #1458-\$4,443.81; Fire Hydrant Fund: Check #1468-\$3,823.46; Engineer Review Escrow Account: Check #1009, #1010: \$7,832.30; Sewer Fund: Check #2668, #2669: \$10,844.90; RT. 18 SLE Fund: Check #1154: \$980.50; Operating Reserve Fund Check #1318-Check #1321: \$204,427.53; Arnold Park Fund: Check #1355: \$131.14; P&R Growing Greener: Check #1074-\$1,798.20; Grand Total All Funds: \$272,833.79). All Supervisors voted yes. Motion carried.

DISCUSSION ITEMS:

1. Follow up on Transportation Impact Fees – The Manager was instructed to solicit for letters of interest and the Board is going to get together a list of possible names for the committee.

2. Allison Parkette Parking Policy – This matter was tabled.

3. 2014 Budget Schedule – Mrs. Noble provided a schedule to the Board a proposed schedule. If there were Township Meetings scheduled on Tuesday the Budget Meetings are schedule an hour before. All other meetings are scheduled at 9:30 a.m. on Tuesdays. A motion was made by Mr. Kiehl and seconded by Mr. Marcischak to approve schedule. All Supervisors voted yes. Motion carried.

ADJOURNMENT:

Meeting adjourned at 8:20 p.m.

John M. Marcischak
Secretary

Wendy Williams – Recording Secretary