

## MINUTES OF MEETING OF TOWNSHIP OF PINE BOARD OF SUPERVISORS

Monday, July 19, 2010

Pine Community Center

This meeting of the Township of Pine Board of Supervisors was called to order at 6:30 p.m. by Philip D. Henry, Vice-Chair of the Board of Supervisors.

### PLEDGE OF ALLEGIANCE

### ROLL CALL

Members in attendance were: Philip D. Henry, Vice-Chair; Edward J. Holdcroft; and Edward J. Owen. Also in attendance were Gary Gushard, Tucker Arensberg, P.C., Solicitor, and Larry Kurpakus, Director of Land Development; Robert Firek, Lennon Smith Souleret Engineering, Inc.; and Richard Voll, Wexford Volunteer Fire Company. Present through their reports were: Carole Keeley, Northern Tier Library; Kimberly Pierson, Parks & Recreation Commission Chair; and Northern Regional Police Chief T. Robert Amann. Michael J. Dennehy, Chair; Frank J. Spagnolo, Supervisor; and Scott D. Anderson, Assistant Manager, entered the meeting at 6:40 p.m.

There were approximately 15 visitors present.

### CORRESPONDENCE

There was no additional correspondence.

### PUBLIC COMMENT

There were no requests to address the Board of Supervisors.

### COMMITTEES

#### Parks and Recreation Commission

Ms. Pierson reported that the Parks and Recreation Commission has been evaluating uses for the two residential properties that have been adjoined to the Community Park and are requesting authorization to seek cost estimates for an engineering study. She noted the need for additional athletic fields and the Commission's thought that the area could be developed into two multi-purpose fields. Ms. Pierson acknowledged that funds have not been budgeted for the study, although it was anticipated that the general recreation fund could provide the funds. She specified that there would be no costs involved in seeking the cost estimates.

Motion was made by Mr. Owen and seconded by Mr. Holdcroft to authorize the Parks and Recreation Commission to seek cost estimates for an engineering study for Community Park property. The aye vote on the motion was unanimous. Motion carried.

Ms. Pierson reminded that Pine Community Day will be held Saturday, July 24, 2010.

TOWNSHIP OF PINE BOARD OF SUPERVISORS  
MEETING MINUTES

July 19, 2010

Page 2

INTERGOVERNMENTAL AGENCIES

Northern Tier Regional Library

Ms. Carole Keeley reported that the May 2010 report of the Northern Tier Regional Library indicated that circulation was 19,416, 45 new borrowers were registered and 579 items were added to the collection. She also reported on current and upcoming library programs and advised that the library will have two booths at the Community Day celebration.

INTERGOVERNMENTAL AGENCIES

North Hills COG

Mr. Spagnolo reported that he was unable to attend the recent North Hills Council of Governments meeting.

Pine-Richland School District

Mr. Henry reported that the school district is currently waiting approval of a bond issue for the high school addition and they are anticipating an October groundbreaking. He added that a new principal has been assigned to the Pine-Richland Middle School.

PUBLIC SAFETY

Joint Police Board

Chief Amann highlighted the June 2010 Northern Regional Police report. He added that the Route 910 detour has increased the traffic on Bakerstown Road and the police department will therefore more closely monitor that roadway.

Wexford Volunteer Fire Company

Mr. Voll reported that the Fire Company responded to 14 calls in June, the least monthly amount in several years. He added that a walk-through of the new station, with the construction manager, was positive and revealed that the project is on time and within budget.

Fire Marshal

Mr. Henry acknowledged the Fire Marshal's June 2010 report.

REPORT OF THE SOLICITOR

Mr. Gushard reported on the Zoning Hearing Board's May 5, 2010 finding on Dominic Gigliotti's appeal of an enforcement notice for 11279 Perry Highway. He also provided the upcoming procedure for refinancing of the Community Center, for which Board authorization will be requested at a later point on the agenda.

TOWNSHIP OF PINE BOARD OF SUPERVISORS

MEETING MINUTES

July 19, 2010

Page 3

COMMUNITY DEVELOPMENT UPDATE

Developments before the Planning Commission

John George Rezoning Request

Mr. Kurpakus reported that the Planning Commission recommends approval of the John George rezoning request for 171 Wexford Bayne Road, from "R-3" to "C-1". He noted that a public hearing will be necessary prior to Board action.

Motion was made by Mr. Owen and seconded by Mr. Spagnolo to authorize advertisement of a Public Hearing for the John George Rezoning request. The aye vote on the motion was unanimous. Motion carried.

Pine Hollow Subdivision

Mr. Kurpakus reported that the Pine Hollow Subdivision is an 18-lot subdivision on Wallace Road, previously approved as Wexford Hills. Mr. Kurpakus advised that the Pine Hollow plans were revised to reflect the Environmental Advisory Council and the Parks and Recreation reviews and the Planning Commission's conditions of approval. Mr. Kurpakus then listed the Planning Commission's conditions of approval as follows: 1) Developer is to expand the utility easement along Wallace Road from 15 to 20 feet. 2) Receipt of the PennDOT Highway Occupancy Permit. 3) Compliance with all items of the July 8, 2010 Lennon Smith Souleret Engineering letter of review. 4) Execution of a developer's agreement. 5) Developer is to pay a fee of \$30,000 in lieu of onsite recreation. 6) Approval of a waiver for the K-value at the street intersection at Wallace Road and Pine Hollow Road.

Mr. Frank Zappala, First City Pine, remarked that their only issue is the Parks and Recreation recommendation that the fee in lieu of active recreation be \$30,000. Mr. Zappala explained that passive recreation is provided and they proposed \$24,000 after reviewing the fees paid in prior developments. He explained that they will only be disturbing 5.7 of the 15.625 acres and 5.9 acres will be designated as conservation areas.

Ms. Pierson defended the Parks and Recreation Commission's recommendation, explaining that active recreation is preferred. She referred to the Code requirements for ½ acre with a play structure, several picnic tables, and benches and expressed the Commission's opinion that \$30,000 for those amenities was reasonable. She pointed out that the prior fees, referred to by the applicant, were for plans developed several years ago. Ms. Pierson concluded that the Commission was concerned that the conservation easement property will be owned by each homeowner and will not provide for public use.

Mr. Spagnolo stated that he did not see that road projections have been provided to the adjoining vacant properties.

Mr. Kurpakus explained that the adjoining properties front Marrwood Drive, a private road, and the other property has a stub from Tanglewood Drive.

TOWNSHIP OF PINE BOARD OF SUPERVISORS  
MEETING MINUTES

July 19, 2010

Page 4

COMMUNITY DEVELOPMENT UPDATE

Developments before the Planning Commission

Pine Hollow Subdivision

Mr. Spagnolo advised that a gas well on the property was not indicated on the plan.

Mr. Zappala stated that the referenced gas well is southwest of the property, but Mr. Spagnolo disagreed, and advised that it must be closed and capped per Pennsylvania Department of Environmental requirements. Mr. Zappala agreed to address the situation.

Mr. Spagnolo questioned the sewer line location.

Mr. John Schleicher, Gibson-Thomas Engineering, explained that the sanitary sewer will extend along Wallace Road and tie in at English Road.

Motion was made by Mr. Dennehy and seconded by Mr. Owen to grant preliminary and final approval of the Pine Hollow Subdivision, pursuant to the Cover Sheet, RP-1, RP-2, EX-1, LD-1, CP-1, CP-2, CP-3, LP-1, LP-2, ESC-1, ESC-2, and ESC-3, all drawn by E.A. Thaner & Associates, drawn May 21, 2010 and revised June 30, 2010, with the following conditions: 1) Developer is to expand the utility easement along Wallace Road from 15 to 20 feet. 2) Receipt of the PennDOT Highway Occupancy Permit. 3) Compliance with all items of the July 8, 2010 Lennon Smith Souleret Engineering letter of review. 4) Execution of a developer's agreement. 5) Developer is to pay a fee of \$30,000 in lieu of onsite recreation. 6) Approval of a waiver for the K-value at the street intersection at Wallace Road and Pine Hollow Road. The aye vote on the motion was unanimous. Motion carried.

Aldi Foods Land Development Plan

Mr. Kurpakus reported that the Planning Commission recommended preliminary approval of the Aldi Foods Land Development Plan for a 17,886 square foot retail building at the location of the formerly proposed Walgreen's, on North Chapel Drive. Mr. Kurpakus noted there were only minor outstanding items on the engineer's review.

Mr. Christopher Kamar, ADP Engineering, introduced Christina Morascyzk of Aldi Foods and Maureen Sweeney and Robert Blumling of Blumling and Gufsky. He provided information on the Aldi stores and displayed elevations of the proposed building, noting that the site configuration is similar to the previously approved Walgreen's. Mr. Kamar advised that PennDOT has reviewed and approved their traffic study. He then reported that Aldi remains agreeable to a cross-access with Ace Hardware, although a mutually beneficial agreement has not been reached.

Mr. Spagnolo questioned if traffic on North Chapel Drive would be impacted.

## COMMUNITY DEVELOPMENT UPDATE

### Developments before the Planning Commission

#### Aldi Foods Land Development Plan (Continued)

Mr. Anderson reminded that Walgreen's had been party to an agreement for traffic signalization at Route 19. He recalled that The Village of Pine had submitted two traffic studies; one being for Phase III and the other for Phases IV and V, which indicated a need for a traffic signal at Route 910 and North Chapel. Mr. Anderson advised that a meeting has been scheduled with The Village at Pine and Aldi's, on that issue.

Motion was made by Mr. Dennehy and seconded by Mr. Owen to grant preliminary approval to the Aldi Food Land Development Plan, pursuant to the Land Survey and Land Survey(2), drawn by Land and Mapping Services and dated January 25, 2010; Drawings CS, ES-1, ES-2, ES-3, C-1, C-2, C-3, C-4, C-5, C-6, C-7, C-8, C-9, PR-1, PR-2, SR-1, C-10, C-11, and Color Rendering, all dated June 17, 2010; HW600, HW605, HW615, HW620, HW621, HW640, HW641, HW660, HW661, all dated March 15, 2010; and CEE-6, CFP-2, both dated December 7, 2009; and all drawn by APD Engineering, with the following conditions: 1) Revised plans should indicate the addition of glazing panels on the front and side elevations. 2) Plans should indicate the masonry material size. 3) Developer is to consider locating a monument sign closer to the Route 19 and Chapel Drive intersection and incorporate a town center designation. 4) Developer is to continue to negotiate with Ace Hardware to try to achieve a cross-access agreement. 5) Advance dedicated left-turn signalization for northbound Route 19 traffic is to be requested as part of the PennDOT Highway Occupancy Permit application and installed if approved by PennDOT. 6) Compliance with the July 8, 2010 Lennon Smith Souleret Engineering letter of review. The aye vote on the motion was unanimous. Motion carried.

#### Sign Ordinance Amendment

Mr. Kurpakus reported that the Planning Commission tabled review of the proposed sign ordinance amendment, due to the absence of members that evening.

## REPORT OF ENGINEER

Mr. Firek referred to the July 15, 2010 report of Lennon Smith Souleret Engineering and provided a road program report.

Mr. Spagnolo recommended that orange safety cones be placed in the park, at the paving area, for safety reasons.

## PUBLIC WORKS REPORT

Mr. Fasick had nothing in addition to his written June/July 2010 report.

Chief Amann acknowledged Mr. Fasick's assistance with fuel tank issues.

ADMINISTRATIVE MATTERS

MINUTES

Motion was made by Mr. Spagnolo and seconded by Mr. Owen to approve the minutes of the July 6, 2010 Board of Supervisors meeting. The aye vote on the motion was unanimous with the exception of Mr. Holdcroft who abstained, due to his absence at that meeting. Motion carried.

RESIDENTIAL SOLID WASTE, YARD WASTE, AND RECYCLING COLLECTION

Mr. Gushard reported that Marshall Township voted to reject the residential solid waste, yard waste, and recycling collection bids and rebid the contract.

Motion was made by Mr. Owen and seconded by Mr. Dennehy to reject all Residential Solid Waste, Yard Waste, and Recycling Collection bids and authorize advertisement to rebid the contract. The aye vote on the motion was unanimous. Motion carried.

ORDINANCE 355

Mr. Gushard advised that authorization was needed to advertise Ordinance 355, for the Pine Community Center refunding.

Motion was made by Mr. Holdcroft and seconded by Mr. Spagnolo to authorize advertisement of Ordinance 355 – Pine Community Center Refunding. The aye vote on the motion was unanimous. Motion carried.

REVIEW PROPOSED AGENDA FOR MONDAY, AUGUST 2, 2010

After reviewing the proposed agenda for the Monday, August 2, 2010 meeting, the Board noted that action had been taken that evening on those issues.

Motion was made by Mr. Dennehy and seconded by Mr. Spagnolo to cancel the August 2, 2010 Board of Supervisors meeting. The aye vote on the motion was unanimous. Motion carried.

Unfinished Business - None

New Business

*Pine Hollow Subdivision, Preliminary and Final Approval* **ACTION TAKEN**  
*Aldi Foods Land Development Plan, Preliminary Approval* **ACTION TAKEN**  
*Sign Ordinance Amendment Review* **TABLED**

TOWNSHIP OF PINE BOARD OF SUPERVISORS

MEETING MINUTES

July 19, 2010

Page 7

EXECUTIVE SESSION

Motion was made by Mr. Dennehy and seconded by Mr. Owen to call an Executive Session at 7:25 p.m. for the purpose of discussing litigation. The aye vote on the motion was unanimous. Motion carried.

Motion was made by Mr. Spagnolo and seconded by Mr. Holdcroft to terminate the Executive Session at 7:35 p.m. The aye vote on the motion was unanimous. Motion carried.

REGULAR MEETING

Mr. Dennehy questioned if the prior Executive Session met the guidelines of the Sunshine Act and Mr. Gushard responded affirmatively, as the discussion related to legal matters.

ADJOURN

Motion was made by Mr. Spagnolo and seconded by Mr. Owen to adjourn. The aye vote on the motion was unanimous. Motion carried.

The meeting adjourned at 8:35 p.m.

---

Recording Secretary

---

Township Manager