

MINUTES OF MEETING OF TOWNSHIP OF PINE BOARD OF SUPERVISORS

Tuesday, August 17, 2010

Pine Community Center

EXECUTIVE SESSION – Litigation

Members in attendance were: Michael J. Dennehy, Chair; Philip D. Henry, Vice-Chair; Edward J. Owen; and Frank J. Spagnolo. Also in attendance were Gary Gushard, Tucker Arensberg, P.C., Solicitor; Cheryl N. Fischer, Manager; Scott D. Anderson, Assistant Manager; and Joni Patsko, Director of Parks and Recreation.

Motion was made by Mr. Spagnolo and seconded by Mr. Henry to conduct an Executive Session at 6:00 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. Henry to terminate the Executive Session at 6:25 p.m. The aye vote on the motion was unanimous. Motion carried.

REGULAR MEETING

This meeting of the Township of Pine Board of Supervisors was called to order at 6:30 p.m. by Michael J. Dennehy, Chair of the Board of Supervisors.

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

PLEDGE OF ALLEGIANCE

ROLL CALL

Members in attendance were: Michael J. Dennehy, Chair; Philip D. Henry, Vice-Chair; Edward J. Owen; and Frank J. Spagnolo. Also in attendance were Gary Gushard, Tucker Arensberg, P.C., Solicitor; Cheryl N. Fischer, Manager; Scott D. Anderson, Assistant Manager; Joni Patsko, Director of Parks and Recreation; Kevin Brett, Lennon Smith Souleret Engineering, Inc.; and Richard Voll, Wexford Volunteer Fire Company. Present through their reports were: Carole Keeley, Northern Tier Library; and Northern Regional Police Chief T. Robert Amann.

There were five visitors present.

CORRESPONDENCE

There was no additional correspondence.

PUBLIC COMMENT

There were no requests to address the Board of Supervisors.

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COMMITTEES

Parks and Recreation Commission

Ms. Patsko expressed appreciation for staff and Board assistance with the July 24 Community Day and the August 16 golf outing. She announced that a "Taste of Pine" will be held at the Community Center on September 23, "Touch-a-Truck" is scheduled for October 9, and a "Story Walk" will be held in the park in September. Ms. Patsko then recommended the appointment of resident Renee Evans for the Recreation Subcommittee vacancy.

Motion was made by Mr. Henry and seconded by Mr. Spagnolo to appoint Renee Evans to the Recreation Subcommittee for a term to end December 31, 2011.

The Board members commended Ms. Patsko on the successful community day and golf outing.

INTERGOVERNMENTAL AGENCIES

Northern Tier Regional Library

Ms. Keeley reported that the June 2010 report of the Northern Tier Regional Library indicated that circulation was 29,497, with 228 new borrowers registered and 631 items added to the collection. She also reported on current and upcoming library programs, noting that the Pine Center will reopen September 7, 2010.

North Hills COG

Mr. Spagnolo had no report.

Pine-Richland School District

Mr. Henry had no report.

PUBLIC SAFETY

Joint Police Board

Chief Amann highlighted the July 2010 Northern Regional Police report. He added that the school year resumes August 26 and traffic control is planned. He noted that the Route 910 at Grubbs Road closure is to be reopened before that time. Chief Amann also informed of temporary road closures between 10 p.m. and 6 a.m. on Warrendale Road, due to the turnpike bridge construction.

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PUBLIC SAFETY

Wexford Volunteer Fire Company

Mr. Voll reported that the Fire Company responded to 25 calls in July; one being assistance at a Marshall Township house fire. Mr. Voll added that construction of the new station remains on schedule. He surmised that it may be operable by year end.

Fire Marshal

Mr. Dennehy acknowledged the Fire Marshal's July 2010 report.

REPORT OF THE SOLICITOR

Mr. Gushard had no report at this time.

COMMUNITY DEVELOPMENT UPDATE

Mr. Anderson reported that the PennDOT Perry Highway project will be bid in the near future and they will schedule a meeting with McCandless and Pine after the bid is awarded.

Developments before the Planning Commission

Aldi Foods Land Development

Mr. Anderson reported that the Planning Commission reviewed the final plan for the Aldi Foods Land Development and recommended final approval with conditions, which he then listed.

Motion was made by Mr. Spagnolo and seconded by Mr. Henry to grant final approval of the Aldi 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-8, PR-1, and Color Rendering, all dated June 17, 2010 with a revision date of July 30, 2010; C-5, dated June 17, 2010 with a revision date of August 2, 2010; C-4, C-6, C-7, C-9, 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-7 and CFP-3, both dated December 7, 2009 and revised July 30, 2010; all drawn by APD Engineering, with the following conditions: 1) Compliance with the Lennon Smith Souleret review letter dated August 9, 2010. 2) Additional spandrel glass panels to be included on the west and south elevations. 3) Compliance with all conditions of the preliminary approval. 4) Developer to continue negotiations with ACE Hardware for cross access. 5) Execution of a developer's agreement. 6) Issuance of a PennDOT Highway Occupancy Permit. The aye vote on the motion was unanimous. Motion carried.

COMMUNITY DEVELOPMENT UPDATE

Developments before the Planning Commission

Georgetowne Plan 7

Mr. Anderson reported that the Planning Commission recommended preliminary and final approval of Georgetowne Plan 7, which will subdivide the individual lots for the townhomes recently completed or currently under construction. He noted that although the Township Engineer has not reviewed the application, a full review of the recording mylar will be completed prior to Township execution.

Motion was made by Mr. Henry and seconded by Mr. Owen to grant preliminary and final approval of the Georgetowne Plan 7 Subdivision, pursuant to Sheet 1 of 1 dated July 8, 2010 and prepared by Tait Engineering, Inc. The aye vote on the motion was unanimous with the exception of Mr. Spagnolo, who abstained. Motion carried.

Sign Ordinance Amendment

Mr. Anderson reported that the Planning Commission tabled consideration of the sign ordinance amendments to allow for additional review.

REPORT OF ENGINEER

Mr. Brett highlighted the August 12, 2010 Lennon Smith Souleret Engineering report.

PUBLIC WORKS REPORT

Mr. Fasick's report was noted.

ADMINISTRATIVE MATTERS

MINUTES

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

RCC SETTLEMENT AND MUTUAL GENERAL RELEASE AGREEMENT

Motion was made by Mr. Owen and seconded by Mr. Henry to authorize the Chair to sign the RCC settlement and mutual general release agreement. The aye vote on the motion was unanimous. Motion carried.

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ADMINISTRATIVE MATTERS

TRANSPORTATION CAPITAL IMPROVEMENTS PLAN, 2010 UPDATE

Mr. Anderson recommended that the Board authorize the advertisement of a public hearing to consider an amendment of the transportation capital improvement plan.

Motion was made by Mr. Henry and seconded by Mr. Spagnolo to authorize advertisement of a Public Hearing and possible ordinance option to amend Chapter 80 of the Township Code (the Township of Pine Transportation Improvement Program), revising "Capital Improvements Plan, 2010 Update". The aye vote on the motion was unanimous. Motion carried.

ACT 511 TAX COLLECTION SOFTWARE

Mrs. Fischer referred to packet information on Act 511 tax collection software and recommended that the Board authorize purchase of software and services at an estimated cost of \$28,413.00. She explained that the existing program was developed in-house and does not provide the detail required by the State auditors. She added many municipalities do not have a business gross receipts tax or contract for its collection; therefore, available software is very limited.

Mr. Dennehy expressed his concern with the language contained in the contract.

Mr. Owen suggested that the issue be further reviewed and include the possibility of improving the current tax collection program.

Mr. Henry suggested that staff consult with Cranberry Township.

Motion was made by Mr. Spagnolo and seconded by Mr. Owen to table consideration to purchase Pennsylvania Act 511 software and services from Keystone Information Systems at an estimated cost of \$28,413.00. The aye vote on the motion was unanimous. Motion carried.

2011 BUDGET REVIEW

Motion was made by Mr. Owen and seconded by Mr. Spagnolo to set the date of September 7, 2010 as the meeting date to discuss large projects and purchases for the 2011 budget. The aye vote on the motion was unanimous. Motion carried.

WEXFORD VOLUNTEER FIRE COMPANY

Motion was made by Mr. Spagnolo and seconded by Mr. Owen to authorize the Wexford Volunteer Fire Company to participate in a Stepping Stones event on September 5, 2010 in North Park. The aye vote on the motion was unanimous. Motion carried.

REVIEW PROPOSED AGENDA FOR TUESDAY, SEPTEMBER 7, 2010

The Board reviewed and approved the following agenda for *Tuesday*, September 7, 2010.

Unfinished Business

*Aldi Foods Land Development, Final Approval **ACTION TAKEN & REMOVED**
Georgetowne Plan 7, Preliminary and Final Approval **ACTION TAKEN & REMOVED**
Public Hearing, Official Consideration, and Proposed Enactment of Ordinance 355, authorizing
the incurrent on non-electoral debt.*

New Business - None

BAUR DRIVE SEWER DISTRICT

Motion was made by Mr. Henry and seconded by Mr. Owen to authorize advertisement of a Public Hearing for consideration of a sewer district on Baur Drive. The aye vote on the motion was unanimous. Motion carried.

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 7:10 p.m.

Recording Secretary

Township Manager