

MINUTES OF MEETING OF TOWNSHIP OF PINE BOARD OF SUPERVISORS

Tuesday, February 16, 2016

Pine Community Center

PLEDGE OF ALLEGIANCE

ROLL CALL

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

Members in attendance were: Michael J. Dennehy, Chair; Phil Henry, Vice-Chair; Edward J. Holdcroft, Pat D. Avolio, and Frank Spagnolo. Also in attendance were: Gary Gushard, Tucker Arensberg, P.C., Solicitor; Scott Anderson, Township Manager; Amy Pampiks, Administrative Operations & Human Resources Manager; Joni Patsko, Director of Parks and Recreation; Larry Kurpakus, Director of Land Development and Code Enforcement; Tim Flaherty, Fire Marshal; Jan Kowalski, Financial Administrator & Business Tax Collector; Bob Firek, Lennon Smith Souleret Engineering; Chief T. Robert Amann, Northern Regional Police Department; Diane Illis, Northern Tier Library Board; and John Gill, Parks and Recreation Commission.

There were 16 visitors present.

CORRESPONDENCE

Mr. Anderson reported two handouts from residents were distributed prior to the meeting.

PUBLIC COMMENT

There were no requests to address the Board of Supervisors at this time.

PRESENTATION AND PUBLIC HEARING FOR OFFICIAL CONSIDERTION OF THE TOWNSHIP OF PINE'S COMPREHENSIVE PLAN

Motion was made by Mr. Holdcroft and seconded by Mr. Spagnolo to open the public hearing for the official consideration of the Township of Pine's Comprehensive Plan. The aye vote on the motion was unanimous. Motion carried.

Jim Pashek of Pashek Associates thanked the Board of Supervisors for the opportunity to work on its comprehensive plan. He explained the plan is a unique implementable plan and it blends the comprehensive plan and the recreation and park plan. Mr. Pashek stated the plan was funded in part by Allegheny County and the Pennsylvania Department of Conservation and Natural Resources and both parties gave the plan favorable comments in their approval letters. Mr. Dennehy thanked Mr. Pashek for his work on the plan and added it is available for township residents to view.

Motion was made by Mr. Spagnolo and seconded by Mr. Holdcroft to close the public hearing for the official consideration of the Township of Pine's Comprehensive Plan. The aye vote on the motion was unanimous. Motion carried.

RESOLUTION 939

Mr. Gushard stated the comprehensive plan needs to be reviewed and updated every ten years. The new plan needs to be adopted by a resolution indicating highlights of the plan with exhibits from the plan attached to the resolution. Mr. Gushard added each supervisor must indicate their vote and sign the resolution. Copies of the document will go to the entities that funded it, and it will be made available for anyone to view.

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Motion was made by Mr. Spagnolo and seconded by Mr. Henry to adopt Resolution 939 adopting the new Township of Pine Implementable Comprehensive Plan which includes a Comprehensive Recreation and Park Plan component. The aye vote on the motion was unanimous. Motion carried.

RESOLUTION 940

Mr. Gushard stated the Community Conservation Partnerships Program grant was used for the purpose intended and a resolution committing to close out of the grant needs to be adopted.

Motion was made by Mr. Spagnolo and seconded by Mr. Holdcroft to adopt Resolution 940 to close out the Community Conservation Partnerships Grant Project (Contract BRC-TAG-20-64) under the administration of the Pennsylvania Department of Conservation and Natural Resources (DCNR). The aye vote on the motion was unanimous. Motion carried.

COMMITTEES

Parks and Recreation Commission

Motion was made by Mr. Henry and seconded by Mr. Holdcroft to authorize the purchase of a new Lastec 721XR pull-behind articulating mower from the Costars contract in the amount of \$19,995. The aye vote on the motion was unanimous. Motion carried.

Motion was made by Mr. Holdcroft and seconded by Mr. Spagnolo to authorize the sale of the Nautilus Freedom Trainer on Municibid. The aye vote on the motion was unanimous. Motion carried.

Motion was made by Mr. Spagnolo and seconded by Mr. Avolio to accept the 2016 Parks and Recreation calendar of events. The aye vote on the motion was unanimous. Motion carried.

Ms. Patsko stated Jennifer Campbell has been nominated to the Parks and Recreation Commission for her work on the comprehensive plan and due to the resignation of Don Keys.

Motion was made by Mr. Holdcroft and seconded by Mr. Spagnolo to appoint Jennifer Campbell to the Parks and Recreation Commission. The aye vote on the motion was unanimous. Motion carried.

Friends of Pine Community Parks

Mr. Gill reported the summer recreation program will be increased from six to eight weeks and the program fee was increased by \$40 to off-set costs. He stated they are looking for volunteers to form a historical society and plan to digitize records to document the township's history. Mr. Gill added future projects include restrooms to serve multi-purpose fields and a pavilion by the lake; and commented on the 2015 donation listing from the Friends of Pine Community Parks.

INTERGOVERNMENTAL AGENCIES

Northern Tier Regional Library

Ms. Illis announced an invitation to Northern Tier Library's Pine Center in Pine-Richland High School for a hands on activity for teens that will encourage users to do arts and crafts, woodworking, sewing, musical performances and other projects. It is open Monday through Thursday and has been funded through grants.

North Hills COG

Mr. Spagnolo reported the meeting was an organizational meeting, and issues relating to MS4 and salt contracts were briefly discussed.

Pine-Richland School District

Mr. Henry stated he had provided a hand out containing information about athletic events, plays, awards, and other subjects; he added there is an opening for a school board member.

PUBLIC SAFETY

Joint Police Board

Chief Amann stated the submitted packet report has been approved and verified and is the official January 2016 police report. Mr. Spagnolo asked if the township had been affected by the break-ins committed by teenagers in Cranberry Township. Chief Amann replied our area had not been affected.

Fire Marshal

Mr. Flaherty had nothing to add to his written report.

Wexford Volunteer Fire Company

Mr. Flaherty had nothing to add to the written report for the Wexford Volunteer Fire Company.

REPORT OF THE SOLICITOR

Mr. Gushard reported he has been handling routine matters like developers' agreements and the finalization of comprehensive plan and had nothing else to report.

COMMUNITY DEVELOPMENT UPDATE

Developments before the Planning Commission

Villas of English Farms Subdivision

Mr. Kurpakus reported the Villas of English Farms LP is developing an 18 lot standard subdivision. The Planning Commission recommended preliminary subdivision approval, with nine conditions, at their 2/8/16 meeting.

The applicant's representative, Steven Victor of Victor-Wetzel Associates described the layout and location of the proposed plan. A right-of-way for access was created at the time English Farms was developed would be used as a means of access. Access to the existing Shurko residence is presently via a private driveway across a drainage way which makes access for this development difficult. The Township has approved a plan to the west, the Spirit of Pine, which provides right-of-way from English Farms to Montgomery Drive and the developer has agreed to construct the interconnection. The fifty lot restriction can be removed and the developer can develop the eighteen lots.

Mr. Victor described the slopes and drainage way on the property and explained the extension of the sanitary sewers and the redirection of stormwater to a detention facility at the north to address the wetness in the backyards of homes in Fox Meadows.

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Mr. Victor described the proposed landscaping; and stated the entrance from English Farms will be paved, sidewalks installed and street trees planted along Cedarwood Drive. Mr. Victor explained trees will be planted on the slopes and to provide continuous buffering, and mature woods would be preserved as a conservation area.

Mr. Victor presented slides explaining the tree mitigation process and showed where trees would be preserved and where trees would be removed and reforested. He explained the developer would like to receive credit for the saving of trees and the creation of a conservation easement. He added for every tree the developer saves he should be given credit. Mr. Avolio and Mr. Spagnolo objected to Mr. Victor's rationale. Mr. Victor replied the problem is there is not room to plant the required amount of trees. Mr. Gushard added Mr. Victor is presenting a novel interpretation, previous developers have met the Code requirements, and it is not fair to them to agree with the proposed mitigation.

Mr. Victor stated the proposed plan shows sidewalks on both sides of the street. The developer would like to remove the sidewalk on one side from the entrance to lot 3. Mr. Avolio asked if he would pay a fee in lieu of the sidewalk. Mr. Victor replied they would not; they may as well put the sidewalk in.

Mr. Avolio stated the plans do not show a connection to Montgomery Drive and asked what work was done to make the plan compliant. Mr. Victor replied the Spirit of Pine and its right-of-way have been approved and the Cedarwood Drive access is open to anyone to use. Mr. Avolio replied it has not been presented on the plans. Mr. Victor replied this is the first time it has been stated as a requirement of review

Mr. Spagnolo asked if the entrance could be from English Road and Mr. Avolio added it could come through the Shurko property; however Mr. Victor replied the wetlands and topography make it difficult to have access from English Road.

Mr. Spagnolo stated they need to avoid headlights hitting back of houses in Fox Meadow. Mr. Victor replied he will address the comment although it may dramatically change the plan's configuration.

Mr. Henry asked Mr. Victor if he agreed to table the subdivision plan. Mr. Victor replied he agreed to table the plan and would grant an extension of 60 days from today. Mr. Avolio directed Mr. Victor to send the correspondence to Mr. Kurpakus and Mr. Gushard advised Mr. Victor to look at how the board meetings fall to come up with exact number of days for the extension.

Motion was made by Mr. Spagnolo and seconded by Mr. Holdcroft to table the Villas of English Farms subdivision plan. The aye vote on the motion was unanimous. Motion carried.

Sunset Ridge P.R.D.

Mr. Kurpakus reported the Planning Commission recommended final approval of the Morelli and Riviera Plan and Sunset Ridge PRD with conditions at their 2/8/16 meeting including compliance with the LSSE review letter dated 2/3/16, dedication of open space to the Township and preparation of a standard developer's agreement.

Marty Gillespie of Riviera Land Partners, L.P. stated he was here to answer any questions the board may have; the planning commission recommended approval and he would like to receive the board's approval tonight. Mr. Spagnolo asked if the property line issue had been worked out with Richard Kwiatkowski of 540 Pearce Mill Road. Mr. Gillespie replied it had. Mr. Spagnolo stated groundwater contamination will need to be controlled as there have been issues with developments in this area in the past.

Mr. Avolio stated the maintenance of stormwater management by the homeowners' association needs to be made to the recording plan and needs to be added as a condition.

Motion was made by Mr. Avolio and seconded by Mr. Holdcroft to grant final approval of the Morelli and Riviera plan of lots with the following condition:

1. Compliance with the LSSE review letter dated 2/3/16

The aye vote on the motion was unanimous. Motion carried.

Motion was made by Mr. Avolio and seconded by Mr. Spagnolo to grant final approval of the Sunset Ridge Planned Residential Development drawings CS, C061, C101, C111, C121, C131 through C134, C501 through C515, C520, C601 through C605, C701 through C703, L101, L601 dated 9/15 and revised 1/12/16 and prepared by Gateway Engineers and four Recording Plan Sheets dated 9/18/15 and prepared by Gateway Engineers with the following conditions:

1. Compliance with the tentative approval dated 12/7/15
2. Compliance with the LSSE review letter dated 2/3/16
3. Open Space adjoining Township property to be parceled as needed to separate stormwater facilities and dedicated to the Township of Pine for park purposes and indicated on the final recording plan
4. Preparation of a standard Township Developer's Agreement
5. Recording plan to include language specifying stormwater management facility maintenance requirements.

The aye vote on the motion was unanimous. Motion carried.

Motion was made by Mr. Avolio and seconded by Mr. Spagnolo to authorize advertising of an ordinance vacating Brasley Road. The aye vote on the motion was unanimous. Motion carried.

12590 PERRY HIGHWAY LAND DEVELOPMENT PLAN

Mr. Kurpakus reported the developer has submitted a proposal for the construction of a 10,000 square foot mixed use commercial land development at the corner of Route 19 and Nicolas Drive; and the Planning Commission has recommended granting a modification to allow the parking lot access within 60' of the common access drive and preliminary and final approval, with conditions, of the land development plan at their 2/8/16 meeting.

Doug Tait of Tait Engineering stated the plan has been changed per the planning commission's comments to change parking. Mr. Avolio asked if they had received permission to park on the adjoining property. Mr. Tait replied John Baun the owner of both properties would prepare an easement for recording.

Mr. Avolio stated the developer should provide correspondence addressing potential traffic problems; they may need to re-evaluate the direction of the access drive. Mr. Avolio added a stormwater management agreement must be provided for MS4 obligations.

Motion was made by Mr. Avolio and seconded by Mr. Spagnolo to grant a modification of section 84-23D.4a.2 to allow 60' minimum spacing between the parking lot and the private access drive with the condition the traffic volume is to be monitored by the Township and any future conflicts will require the access to be limited to right turn in/right turn out only. The aye vote on the motion was unanimous. Motion carried.

Motion was made by Mr. Avolio and seconded by Mr. Spagnolo to grant preliminary and final approval of the 12590 Perry Highway land development plan drawings Cover, Sheet 2 of 9, Sheet 4 of 9, Sheet 6 of 9 through Sheet 9 of 9 dated 12/18/15, revised 1/29/16 and prepared by Tait Engineering, Inc. and Sheet 1 of 9, Sheet 3 of 9 and Sheet 5 of 9 dated 12/18/15 and prepared by Tait Engineering, Inc. and A111, A181, A201 and A202 prepared by Eric Smith Assoc., P.C. with the following conditions:

1. Compliance with the LSSE review letter dated 2/3/16
2. Developer to incorporate a detail on the drawings to remove the existing wedge curb fronting the proposed parking stalls along the common access drive and parking lot access
3. Street walk fronting Nicholas Drive to be set back from curb a minimum of 24"
4. Developer to record a revised deed to consolidate parcels 1825-P-23 & 1825-P-22 as approved with the Swinderman Road plan of Lots
5. Building materials to be reviewed by Township staff for compliance with Township Code
6. Preparation of a standard Township Developer's Agreement
7. Parking ratios to be provided on the final plan set and shared parking agreement to be recorded with Allegheny County department of real estate
8. Parking stall #1 as shown on Sheet 2 of 9 to be removed to enhance the front buffer yard
9. Signs as shown on the submitted plan set to be submitted and reviewed separately for compliance
10. Stormwater maintenance agreement to be recorded with Allegheny County office of real estate.

The aye vote on the motion was unanimous. Motion carried.

THE WOODS AT PINE P.R.D

Mr. Kurpakus requested a public hearing to be scheduled for March 21, 2016.

Motion was made by Mr. Spagnolo and seconded by Mr. Holdcroft to give authorization to advertise a Public Hearing for public comment on the Woods at Pine P.R.D. for the March 21, 2016 Board meeting. The aye vote on the motion was unanimous. Motion carried.

ENGINEER'S REPORT

Mr. Firek reported they are closing out the 2015 road program and summarized his written report.

PUBLIC WORKS REPORT

Mr. Barbarino stated he had nothing more to add to his written report.

ADMINISTRATIVE MATTERS

MINUTES

Motion was made by Mr. Avolio and seconded by Mr. Henry to approve the Board of Supervisors minutes of February 1, 2016. The aye vote on the motion was unanimous. Motion carried.

FINANCIAL STATEMENTS

Motion was made by Mr. Spagnolo and seconded by Mr. Holdcroft to approve the Financial Statements and the payment of bills thereon. The aye vote on the motion was unanimous. Motion carried.

RESOLUTION 941

Mr. Kurpakus stated that Resolution 941 regards the Whitetail Crossing Sewage Facilities Plan and Section 71 of Title 25 of the Pennsylvania Code requires municipalities to adopt an Official Sewage Facilities Plan providing for adequate sewage services.

Motion was made by Mr. Henry and seconded by Mr. Spagnolo to enact Resolution 941 regarding the Whitetail Crossing Sewage Facilities Plan. The aye vote on the motion was unanimous. Motion carried.

Motion was made by Mr. Holdcroft and seconded by Mr. Spagnolo to authorize advertisement for bids for the 2016 Roadway Improvement Program. The aye vote on the motion was unanimous. Motion carried.

Motion was made by Mr. Spagnolo and seconded by Mr. Holdcroft to authorize advertisement for bids for the 2016 Road Maintenance and Crack Sealing Contract. The aye vote on the motion was unanimous. Motion carried.

Mr. Holdcroft asked what the bid for detention pond maintenance would entail. Mr. Firek reviewed MS4 requirements and Mr. Anderson added the Township would have a generic set of specifications for grass cutting and tree removal and bids would be based on work needed for each pond. Mr. Anderson stated maintenance is expected to be in two phases, grass cutting and tree removal, and further assessment of the silt build up and out-falls after ponds have been cleared.

Motion was made by Mr. Holdcroft and seconded by Mr. Spagnolo to authorize advertisement for bids for the 2016 Township Owned Detention Pond Maintenance. The aye vote on the motion was unanimous. Motion carried.

MARCH 7, 2016 BOARD MEETING

Motion was made by Mr. Spagnolo and seconded by Mr. Avolio to cancel the March 7, 2016 meeting. The aye vote on the motion was unanimous. Motion carried.

ADJOURNMENT

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

The meeting adjourned at 7:37 p.m.



Recording Secretary



Township Manager