MINUTES OF MEETING OF TOWNSHIP OF PINE BOARD OF SUPERVISORS

Monday, September 19, 2016 Pine Community Center

PLEDGE OF ALLEGIANCE

EXECUTIVE SESSION

Motion was made by Mr. Spagnolo and seconded by Mr. Avolio to conduct an Executive Session at 5:45 p.m. for the purpose of discussing real estate & legal matters. The aye vote on the motion was unanimous. Motion carried.

Board members in attendance were: Michael J. Dennehy, Chair; Phil Henry, Vice Chair; Pat Avolio, Ed Holdcroft, and Frank J. Spagnolo. Also in attendance were: Gary J. Gushard, Solicitor; Scott Anderson, Township Manager; and Amy Pampiks, Administrative Operations and Human Resources Manager.

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

ROLL CALL

The Township of Pine Board of Supervisors' meeting was called to order by Chairman Michael J. Dennehy at 6:30 p.m.

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

There were 6 visitors present.

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 real estate & legal matters.

CORRESPONDENCE

Mr. Anderson reported there is no additional correspondence.

PUBLIC COMMENT

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

COMMITTEES

Parks and Recreation Commission

Joni Patsko stated that the Parks and Recreations Commission are working on the new pavilion.

Friends of Pine Community Parks

Ms. Patsko reported that the "Taste of Pine" fundraising event is Thursday, September 29, 2016 and tickets are still available.

INTERGOVERNMENTAL AGENCIES

Northern Tier Regional Library

Ms. Illis reported on the summer reading club program and highlighted the "Love Your Library" campaign. Ms. Illis explained this is a county-wide fund raising collaboration that invites residents to show their love of libraries by investing in libraries.

North Hills COG

Mr. Spagnolo stated that the North Hills Council of Governments is having their annual dinner this Thursday, September 22, 2016. Three Board members will be attending.

Pine-Richland School District

Mr. Henry report that the School Board is still reviewing the issue of transgender student's bathroom usage.

PUBLIC SAFETY

Joint Police Board

Chief Amman had nothing to add to his written report.

Fire Marshal

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

Frank Spagnolo stated he was glad to see calls were down. Ed Holdcroft asked to be notified as to the dates of the fire company budget meetings. Mike Dennehy inquired about the Air packs grant application. Tim Flaherty noted that the grant was worth looking into. Mr. Dennehy asked what the 1st Out Specialty Vehicles & Equipment expense of $4,599 was for. Tim Flaherty stated that it was for the installation of LED warning lights on the rescue truck.

Wexford Volunteer Fire Company

The Board acknowledged the Fire Company's report.

REPORT OF THE SOLICITOR

Mr. Gushard reported that a decision was issued by the Allegheny County Board of Property Assessment and Appeals which denied the request for tax exemption filed by St. Barnabus for the Trees property they acquired. The request was filed for the years 2014 and 2015 and was denied because the Board found the property was not used for the purpose of the institution during that time period. There is a 30 day appeal period in which St. Barnabus has the right to file an appeal.

A land use appeal was filed by the Lake MacLeod Homeowners' Association and various property owners regarding the Laurel Grove land development plan. The Township has been advised that there will be a conference in front of Judge James on October 13, 2016. Mr. Gushard stated he will attend as the representative for the Township; the developer and Lake MacLeod representation will also be there. The judge will gather the necessary information from all parties then make a decision on how to proceed.

COMMUNITY DEVELOPMENT UPDATE

Developments before the Planning Commission

VILLAS OF ENGLISH FARMS SUBDIVISION

Mr. Kurpakus stated that the Villas of English Farms, L.P. was previously presented to the Board which provided a connection to Cedar Woods Drive and English Farms. After discussion the Board directed the developer to explore a connection to English Road. The developer revised the plan and is now proposing a 24 lot standard subdivision on 25 acres with access from English Road. The plan was submitted to the Planning Commission and they recommended preliminary approval with eight conditions:

1. Compliance with the Lennon, Smith & Souleret Engineering (LSSE) review letter dated August 30, 2016
2. Compliance with the Parks and Recreation recommendation dated 11/10/15 to provide payment in lieu of recreation facilities in the amount of $24,000 ($1,000 per lot)
3. Compliance with the Environmental Advisory Council (EAC) recommendation of 12/7/15 to mitigate 112 trees per disturbed wooded acre which requires the planting of 863 trees.
4. Developer to provide a geotechnical evaluation for Township review of the sub-surface water conditions along Lots 14-23 and provide recommendation for mitigation if necessary
5. Final recording plan to include a 40' conservation easement adjoining the Fox Meadow, English Farms and Pine Acres plans
6. Developer to show sidewalk fronting English Road and extending to property lines
7. Developer to review the existing buffer vegetation with Township staff along the Fox Meadow plan to verify existing planting is compliant with Township Code.
8. Final recording plan to include a 50' buffer and conservation easement along the length of the existing wetlands and stream locations

David Lucci of Victor-Wetzel Associates stated they have had an opportunity to refine the plan. Mr. Lucci gave a brief slide show presentation that explained the alternative access connecting to English Road and presented the revised plan that was submitted to the Planning Commission. Mr. Lucci noted that changes made to the plans entrance location led to modification requests. He summarized the 4 waiver requests: 1. 78-38B proposing 2:1 cut and fill slopes to minimize tree disturbance; 2. 78-48C proposing more that 60% disturbance of woodland slopes between 15%-20%; 3. 78-49C proposing disturbance within 50' of wetlands for the purposes of constructing a road crossing; 4. 84-124A proposing disturbance of slopes greater than 40% at the English Road connection.

Pat Avolio questioned if the Planning Commission asked for a sidewalk along the west side of English Road and said he believes there is a trail along the East side that ends. David Lucci confirmed that the plan shows the sidewalk along the entire length of English Road.

Pat Avolio questioned why the plan reflects putting a sidewalk on that side of the road because it will not connect to anything. Mr. Avolio pointed out that there is an incomplete trail on the other side of the road and believes it would make more sense to have a waiver for payment in lieu of and use the money to complete that trail. Mr. Avolio asked Larry Kurpakus for clarification on the matter.

Mr. Kurpakus stated he believes that in the original plan no sidewalks were proposed. When the developer was given the option of a waiver request for payment in lieu of or to construct a sidewalk he decided to construct a sidewalk.

Pat Avolio stated that the action tonight is for preliminary approval and asked the staff to look into the sidewalk issue and make recommendations based on the concerns expressed. Frank Spagnolo agreed with the recommendation.

Mike Dennehy asked Gary Gushard how to proceed with the matter. Gary Gushard stated that the Board can take action on preliminary approval of the plan and add a condition for final approval.

Marc Flemming, 220 Fox Meadow Drive, asked where the house would be placed on lot 23 and what would happen to the existing tree line on that property. David Lucci showed that the placement of the house would be in an open area and confirmed that all existing surrounding buffering will remain during development.

Pat Avolio stated since this is preliminary approval there are a lot of things not shown as part of the plan, the Board will review and amend issues as needed. Mr. Avolio noted that he would like to include an amendment that perimeter buffers be evaluated and comply with the shown 40' conservation easement buffer requirements. Frank Spagnolo stated this plan is much better than connecting to English Farms.

Motion was made by Mr. Spagnolo and seconded by Mr. Avolio to grant a waiver of section 78-38B to allow 2:1 slopes to limit disturbance of existing woodlands with condition that additional plantings meeting Section 78-48(D) of the Code be provided on the slopes for woodland mitigation and subject to a geotechnical report. The aye vote on the motion was unanimous. Motion carried.

Motion was made by Mr. Spagnolo and seconded by Mr. Holdcroft to grant a waiver of section78-49C to allow disturbance within 50' of a wetland for the purpose of constructing a public road crossing and utility line installation. The aye vote on the motion was unanimous. Motion carried.

Motion was made by Mr. Spagnolo and seconded by Mr. Henry to grant a waiver of section 78-48C to allow up to 70% disturbance of 15%-25% slopes due to road connection to English Road. The aye vote on the motion was unanimous. Motion carried.

Motion was made by Mr. Avolio and seconded by Mr. Spagnolo to grant a waiver of section 84-124A to allow disturbance of 40% and greater slopes as shown on the submitted plan set due to road connection to English Road. The aye vote on the motion was unanimous. Motion carried.

Motion was made by Mr. Spagnolo and seconded by Mr. Holdcroft to grant preliminary approval of the Villas of English Farms subdivision plan, sheets: 1 through 9, prepared by Victor-Wetzel and dated 6/17/16 and revised 8/19/16; and sheets 701 and 702, prepared by Gateway Engineers and dated 6/16 with the following conditions:

1. Compliance with the Planning Commission's recommendations dated 9/12/16
2. Township staff to review the feasibility of the sidewalk fronting English Road and explore payment in lieu of construction or alternate connection for final approval
3. Bufferyard planting to comply with 40' planting requirements of the Code with planting credit provided for existing vegetation meeting Township Code

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

WOLFE PLAN SUBDIVISION

Mr. Kurpakus reported Mark and Bonnie Wolfe are proposing the consolidation of parcels 1500-J-15 and 1500-J-16 located at 110 McKinney Road. The current property use is single family residential. There are minor outstanding comments noted in the LSSE review letter dated 8/16/16 which can be addressed on the final recording plan. The Planning Commission recommended preliminary and final approval with conditions.

Pat Avolio asked if the 25' road right of way has been shown dedicated. Larry Kurpakus said he received the revised plan that shows the right of way along with a 10' utility easement.

Motion was made by Mr. Spagnolo and seconded by Mr. Avolio to grant preliminary and final approval of the Wolfe Consolidation Plan subdivision, drawing sheet 1 of 1 dated 8/21/16, prepared by Tait Engineers, Inc. with the following conditions: Compliance with the Planning Commission recommendation dated 9/12/16. The aye vote on the motion was unanimous. Motion carried.

BROOKFIELD ESTATES

Gary Gushard stated that the Knights of Columbus property decision is still under review that is why the developer has requested an extension to October 18, 2016.

Motion was made by Mr. Spagnolo and seconded by Mr. Henry to grant Brookfield Estates an extension to October 18, 2016. The aye vote on the motion was unanimous. Motion carried.

ENGINEER'S REPORT

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

Motion was made by Mr. Spagnolo and seconded by Mr. Henry to accept the engineer's report. The aye vote on the motion was unanimous. Motion carried.

PUBLIC WORKS REPORT

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

Mr. Dennehy asked when the buyer of the old salt building would be here to take it down. Mr. Barbarino said he spoke with the gentleman and it would be removed by November 1, 2016. Mr. Spagnolo questioned liability. Mr. Barbarino stated the Township had received his certificate of insurance.

Motion was made by Mr. Spagnolo and seconded by Mr. Holdcroft to accept the public works report. The aye vote on the motion was unanimous. Motion carried.

ADMINISTRATIVE MATTERS

MINUTES

Motion was made by Mr. Henry and seconded by Mr. Spagnolo to approve the Board of Supervisors minutes of August 15, 2016. Upon roll call vote the following voted aye: Mr. Henry, Mr. Spagnolo, and Mr. Dennehy. The following abstained because they were not in attendance: Mr. Holdcroft and Mr. Avolio. Motion carried.

FINANCIAL STATEMENTS

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

SALE OF 2005 INTERNATIONAL 7400 4X4 TRUCK THROUGH MUNICIBID

Motion was made by Mr. Spagnolo and seconded by Mr. Avolio to award the sale of the 2005 International 7400 4x4 truck to the high bidder in amount of $ 53,755 per the Municibid bid sheet. The aye vote on the motion was unanimous. Motion carried.

REQUEST TO ADVERTISE FOR BIDS FOR PUBLIC WORKS TRUCK

Tony Barbarino requested permission to advertise for bids for the purchase of trucks budgeted for in 2017.

Motion was made by Mr. Spagnolo and seconded by Mr. Avolio to authorize advertisement for bids for public works trucks budgeted for in 2017. The aye vote on the motion was unanimous. Motion carried.

NO TURN ON RED SIGN AT ROUTE 19 AND NORTH CHAPEL DRIVE

Motion was made by Mr. Spagnolo and seconded by Mr. Holdcroft to request from PennDot concurrence permitting the installation of a "No turn on red" sign at Route 19 and North Chapel Drive. The aye vote on the motion was unanimous. Motion carried.

OCTOBER 3, 2016 BOARD MEETING

Motion was made by Mr. Spagnolo and seconded by Mr. Holdcroft to cancel the October 3, 2016 Board meeting due to lack of agenda items. The aye vote on the motion was unanimous. Motion carried.

ADJOURNMENT

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

The meeting adjourned at 7:10 p.m.

Eari Huber
Recording Secretary

Scott Anson
Township Manager