

MINUTES OF MEETING FOR TOWNSHIP OF PINE BOARD OF SUPERVISORS

MONDAY, MARCH 5, 2018

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; Edward J. Holdcroft, Vice-Chair, Philip Henry, Vice-Chair, Pat Avolio and Frank Spagnolo. Also, in attendance were: Gary Gushard, Tucker Arensberg, P.C., Solicitor; Scott Anderson, Township Manager; Amy Pampiks, Director of Human Resources; Larry Kurpakus, Director of Code Administration and Land Development; Jan Kowalski, Director of Finance, Tony Barbarino, Director of Public Works; Joni Patsko, Director of Parks and Recreation; Captain John Sicilia, Northern Regional Police Department.

There were 32 visitors present.

Mr. Dennehy announced that an Executive Session was held at 6:00 p.m. for the purpose of discussing Real Estate and Personnel matters.

Mr. Gushard added that the executive session was had in compliance with the sunshine law.

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

CORRESPONDENCE FOR THE BOARD OF SUPERVISORS

Mr. Anderson reported there was no additional correspondence.

PUBLIC COMMENT

Mr. Dennehy asked if there was anyone present wishing to comment on an item not on the agenda. There were no requests to address the Board of Supervisors.

APPOINTMENT FOR PLANNING COMMISSION

Motion was made by Frank Spagnolo and seconded by Phil Henry to appoint Paul Lewandowski to the Planning Commission, term to expire 12/31/2020. The aye vote on the motion was unanimous. Motion carried

APPROVAL OF THE MINUTES FROM FEBRUARY 5, 2018 BOARD OF SUPERVISORS MEETING

Motion was made by Phil Henry and seconded by Frank Spagnolo to approve the minutes from the Board of Supervisor's Meeting on February 5, 2018. The aye vote on the motion was unanimous. Motion carried.

DECISION OF THE BOARD OF SUPPERVISORS ON WEXFORD MEDICAL MALL, LLC.

Mr. Gushard explained that there are two (2) applications for conditional use. One, an application for approval of a commercial or public parking garage or lot, pursuant to sections 84-137 of the code of the Township of Pine, upon land located at Wallace Road Extension (northwest corner of Copperleaf Court and Wallace Road Extension), Wexford, PA 15090. Two, an application for the approval to allow a proposed hospital structure and associated helistop to exceed forty-five (45') feet in height pursuant to sections 84-137 and 84-137 (c)(3) of the code of the Township of Pine, upon land located at 12311 Perry Highway, Wexford, PA 15090.

Mr. Gushard noted the additional report from the Wexford Volunteer Fire Company indicating that the fire company has adequate fire protection from presently available fire equipment which can be afforded to the structures at their heights as proposed. Mr. Gushard also noted that the applicant will be requested that the

proposed flight patterns be submitted to the Board of Supervisors for review and approval. Mr. Gushard explained that that can be done however the Federal Aviation Administration (FAA) course and guidelines will supersede that of the Township

Motion was made by Frank Spagnolo and seconded by Pat Avolio to approve the two (2) conditional use permit applications by Wexford Medical Mall, LLC. with conditions prepared by Gary Gushard, Tucker Arensberg, Attorneys. The aye vote on the motion was unanimous. Motion carried.

THE FRIENDS OF PINE COMMUNITY PARKS 2017 CONTRIBUTIONS

Motion was made by Phil Henry and seconded by Pat Avolio to accept the 2017 contributions from The Friends of Pine Community Parks. The aye vote on the motion was unanimous. Motion carried.

PINE COMMUNITY CENTER 2018 CALENDAR OF EVENTS

Motion was made by Frank Spagnolo and seconded by Ed Holdcroft to approve the Pine Community Center 2018 calendar of events. The aye vote on the motion was unanimous. Motion carried.

ADVERTISE PUBLIC HEARING FOR THE WEXFORD STATION PLANNED RESIDENTIAL DEVELOPMENT

Mr. Gushard explained that the issue tonight was only permission to advertise for a Public Hearing for the proposed Wexford Station Planned Residential Development and that the Board of Supervisors would not be receiving comment this evening. Mr. Gushard requested that any public comment or presentation be submitted to the Township prior to the meeting so that the Board of Supervisors would have time to review them. Pine residents will be heard first, and others with an interest in the plan will be considered after.

Katie Lefeber of 80 Laurel Hill Street, asked to hand out an information packet she had for the Board of Supervisors to be considered at the March 19, 2018 meeting. Ms. Lefeber shared some pictures of the area to be included with the information packet later.

Motion was made by Frank Spagnolo and seconded by Ed Holdcroft to authorize advertising the public hearing for the Wexford Station Planned Residential Development. The aye vote on the motion was unanimous. Motion carried.

EMERALD FIELDS PRD PHASE 5 REQUEST FOR SANITARY SEWER EASEMENT THROUGH TOWNSHIP PROPERTY

Mr. Kurpakus reported that the Pine Development Co., is requesting a sanitary sewer easement over a portion of property of Township of Pine, being Parcel ID #2183-P-1. The purpose of this easement is for sanitary sewer tie-in for a portion of Emerald Fields PRD, Phase 5. The requested easement will limit disturbance, particularly of the steep slope area. The easement being requested is approximately 130 feet in length and an area of 0.06 acre, located in the western portion of the Township open space parcel.

Motion was made by Frank Spagnolo and seconded by Pat Avolio to approve Emerald Fields PRD Phase 5 request for Sanitary Sewer Easement through Township Property. The aye vote on the motion was unanimous. Motion carried.

LAUREL GROVE PHASE 2A APPLICATION FOR FINAL SUBDIVISION PLAN

Mr. Kurpakus reported that Cavalier Land Partners, L.P. is asking for final approval for Phase 2A which includes a total of 84 units. The Planning Commission recommended the Board of Supervisors grant final approval of the Laurel Grove phase 2A subdivision prepared by PVE Engineering dated November 17, 2017 and revised February 2, 2018 with the following conditions:

1. Compliance with Preliminary approval dated July 5, 2016
2. Compliance with LSSE review letter dated February 8, 2018

Jonathan Kamin from Cavalier Partners asked the Board of Supervisors if they had any questions for the developer.

Mr. Avolio asked about the planting of the buffers, Mr. Kurpakus reported that there are certain requirements for planting in the original developer's agreement that can be added to the Phase 2A agreement.

Allison Romano of 543 MacLeod Drive, expressed her frustration and opposition of the further development of the Laurel Grove PRD and the continuation of the Phase 2A portion. She reported concerns regarding the dissemination of information regarding the Laurel Grove Development and that it did not seem honest.

Christine Karmanos of 537 MacLeod Drive, reported that since the beginning of the Laurel Grove Development the lake in the Lake MacLeod development that her home overlooks, has become brown and ugly. Ms. Karmanos reported that she had sent the Township and its supervisors an email on November 13, 2017 regarding the sediment run off and that no one responded. Ms. Karmanos stated that previously her children could swim in the lake and that after the development began they can no longer go in the lake because of the sediment. She showed several pictures of before the beginning of the development and then after. Ms. Karmanos asked the Board of Supervisors to please help them to remediate the problem. She asked the Board of Supervisors to help the Lake MacLeod residents work with the developer of Laurel Grove to control the sediment runoff and keep the Lake clear and clean. Ms. Karmanos expressed that she is aware of growth and development but there should be a better way.

Mr. Gushard reported that the sediment issue is the subject of current litigation pending before the Commonwealth Court. Mr. Gushard shared that the current Board of Supervisor issue is the approval of Phase 2A of the Laurel Grove Development. Mr. Gushard explained that the plan complies with the preliminary approval and the developer is entitled to an approval.

Mr. Gushard, asked Mr. Kurpakus if there were any restrictions from the Department of Environmental Protection (DEP) or the Allegheny County Conservation District (ACCD). Mr. Kurpakus reported that at this time the Developer is in compliance with the DEP and the ACCD.

Jack Donahue of 548 MacLeod Drive, expressed concerns that the Township is not monitoring the development and that the developer is continuing to pollute Lake MacLeod. Mr. Donahue refer to pictures that show the changes that have occurred to the lake. Mr. Donahue expressed concern about whose responsible for the sediment and who should be responsible to clean it up.

Jeffrey Fisher of 563 MacLeod Drive, reported that the Board of Supervisors was made aware of this since May. Mr. Fisher expressed that he was assured there would be no runoff from the development. He reported that there is runoff and, in his opinion the engineer was wrong.

Mr. Gushard stated that the subject is in litigation.

Andrew Jugan of 216 McFadden Drive, asked the Board of Supervisors about their fiduciary responsibility to the Township's residents. Mr. Jugan asked about what set of values and objectives do the Board of Supervisors follow when making decisions in the best interest of the residents.

Mr. Gushard replied that the Township is required to follow the Township code.

Jeff Romano of 543 MacLeod Drive, asked Mr. Spagnolo and Mr. Avolio to recuse themselves because of their professional knowledge of land developments.

Mr. Gushard reported that there is no basis for Mr. Spagnolo or Mr. Avolio to recuse themselves.

Dan Kunz, Attorney for some of the Lake MacLeod Residents, asked for clarification of the Phase 2 portion versus the Phase 2A portion. Mr. Gushard explained that Phase 2A is a smaller portion of Phase 2. Mr. Kuntz

expressed his concerns regarding information that the DEP is still reviewing Chapter 105 and 102 of the permit. Mr. Kunz reported that he also had concerns about the amount of rain estimates that have been used.

Mr. Kamin reported that the DEP chapters 105 and 102 permits are not part of the Phase 2A approval. Mr. Kamin explained that Chapter 102 covers earth disturbance and that chapter 105 covers wetlands and streams. Neither of these are issues for Phase 2A.

Motion was made by Frank Spagnolo and seconded by Mike Dennehy to approve the Laurel Grove Phase 2A Application for final subdivision plan with the following conditions; Compliance with Preliminary approval dated July 5, 2016, Compliance with LSSE review letter dated February 8, 2018, bufferyard planting to be completed prior to the issuance of building permits and preparation of a Township Developers Agreement prior to the release of Grading Permits. The aye vote on the motion was unanimous. Motion carried.

PUBLIC WORKS PURCHASE OF DUMP BODY PLUS ANCILLARY EQUIPMENT

Motion was made by Frank Spagnolo and seconded by Ed Holdcroft to approve the purchase of one (1) Dump Body plus additional ancillary equipment from Walsh Equipment, Costars Contract No. 025021 in the amount of \$35,382.00. The aye vote on the motion was unanimous. Motion carried.

PUBLIC WORKS PURCHASE OF BODY EQUIPMENT TRANSFER PLUS ADDITIONAL ANCILLARY EQUIPMENT

Motion was made by Frank Spagnolo and seconded by Ed Holdcroft to approve the purchase of Body Equipment Transfer plus additional ancillary equipment from Walsh Equipment, Costars Contract No. 025021 in the amount of \$63,046.00. The aye vote on the motion was unanimous. Motion carried.

2018 ROADWAY AND STORM SEWER IMPROVEMENT CONTRACT

Mr. Spagnolo requested that either a member of staff or a member of engineering team monitor and report the project to the Board of Supervisors that the project is being executed to the standards of the Township.

Mr. Anderson reported that this could be done.

Motion was made by Ed Holdcroft and seconded by Frank Spagnolo to award the 2018 Roadway and Sewer Improvement Contract No. 18-R01 to Shields Asphalt Paving, Inc. for the base bid of \$1,334,442.00 plus add alternates #2, #3, #4, #5, #6, #7, #8, #9, #10, and #11 in the amount of \$832,769.45 for a total award of \$2,170,211.40 with the condition that the project execution will be monitored and reported by staff or the Township engineer. The aye vote on the motion was unanimous. Motion carried.

PUBLIC WORKS PURCHASE 10-TON CAB AND CHASSIS

Motion was made by Frank Spagnolo and seconded by Ed Holdcroft to approve the purchase of 10-Ton Cab and Chassis from Hill International Trucks, NA, LLC. in the amount of \$115,931.68. The aye vote on the motion was unanimous. Motion carried.

RESOLUTION 988, DISPOSITION OF RECORDS FOR 2018

Motion was made by Ed Holdcroft and seconded by Frank Spagnolo to approve Resolution 988, the Disposition of Records for 2018. The aye vote on the motion was unanimous. Motion carried.

TREASURER'S REPORT FOR JANUARY 2018

Motion was made by Frank Spagnolo and seconded by Ed Holdcroft to accept the Financial Report for the month of January 2018 and ratify the payment of bills to those vendors listed thereon. The aye vote on the motion was unanimous. Motion carried.

REQUEST FROM RJ COMMUNITY MANAGEMENT FOR THE BENEFIT OF THE HEIGHTS OF NORTH PARK

Request from R.J. Community Management, representing the Heights of North Park HOA to opt-in to the Township Stormwater Maintenance District and request for the Solicitor to prepare paperwork for consideration at the March 19, 2018 Board of Supervisor Meeting.

Mr. Gushard reported that a resolution, containing the appropriate language acknowledging RJ Community Management, representing the Heights of North Park HOA, intention to opt-in to the Township Stormwater Maintenance District, would be presented at the March 19, 2018 Board of Supervisor meeting.

AGENDA ITEMS FOR THE MARCH 18, 2018 MEETING

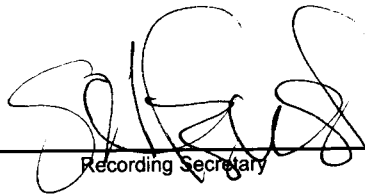
Public Hearing for the Wexford Station Planned Residential Development.

Resolution for the request of R.J. Community Management, representing the Heights of North Park HOA, to opt-in to the Township Stormwater Maintenance District.

ADJOURNMENT

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

The meeting adjourned at 7:40 p.m.



Recording Secretary



Township Manager