

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

MONDAY, OCTOBER 15, 2018

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

### ROLL CALL

Members in attendance were: Michael J. Dennehy, Chair; Edward J. Holdcroft, Vice-Chair; Phil 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; Jan Kowalski, Director of Finance; Larry Kurpakus, Director of Code Administration and Land Development; Tony Barbarino, Director of Public Works; Joni Patsko, Director of Parks and Recreation; Kevin Brett, Lennon Smith Souleret Engineers; Diane Illis, Northern Tier Library; Tim Flaherty, Fire Marshal, Wexford Volunteer Fire Department; Chief T. Robert Amann, Northern Regional Police Department; Captain John Sicilia, Northern Regional Police Department.

There were 10 visitors present.

### PLEDGE OF ALLEGIANCE

### EXECUTIVE SESSION

An Executive Session was held at 5:45p.m. for the purpose of discussing real estate and personnel matters.

### APPROVAL OF THE MINUTES FROM SEPTEMBER 17<sup>TH</sup>, 2018 BOARD OF SUPERVISORS MEETINGS

Motion was made by Ed Holdcroft and seconded by Frank Spagnolo to approve the minutes from the Board of Supervisor's meeting of September 17<sup>th</sup>, 2018. The aye vote on the motion was unanimous. Motion carried.

### 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.

There was 1 member of the public that signed up to speak on an agenda item.

Mr. Dennehy asked Mr. Donahue to begin.

Jack Donahue, 548 MacLeod Drive, spoke to the Board regarding the Laurel Grove Development Plan. Mr. Donahue stated that he is aware that it has been several years of conversations and back and forth between the Lake McLeod Residents, the Laurel Grove Developer and the Board of Supervisors. Mr. Donahue stated that he would like to point out that there has been damage to the lake and the streams, he continued that he is not looking to stop development, he is asking for the Boards help with a solution to the problem and to monitor the future development to ensure that the current issues do not become worse. Mr. Donahue asked that the Board consider solutions that will work for everyone.

MADIA HOMES MODIFICATION

Mr. Avolio asked if the neighbors to the property have submitted comments concerning the modification. Mr. Gushard responded that the Township had received an email communication that there were no objections to the modification.

Motion was made by Frank Spagnolo and seconded by Ed Holdcroft to approve the Heights of North Park, Phase 6 P.R.D. (Lot 616- Parcel# 1661-P-20) modification of the front building line setback. The aye vote on the motion was unanimous. Motion carried.

CAVALIER LAND PARTNERS CONDITIONAL USE APPROVAL REQUEST

Mr. Gushard stated that the Public Hearing was closed at the September 17<sup>th</sup>, 2018 Board of Supervisors meeting and that the record had been left open for written communication only. The communications have been received by the Board, the applicant and the attorney representing various residents of the Lake Macleod Development.

Mr. Gushard stated that there are two separate applications that require action by the Board of Supervisors. The applications have been addressed in a single conditional use approval document which has been provided to the Board.

Motion was made by Ed Holdcroft and seconded by Frank Spagnolo to grant conditional use approval for the construction of **Patio Homes and Carriage Homes** as part of the Laurel Grove Development as contained in the written decision of the Board of Supervisors for conditional use approval as filed by Cavalier Land Partners L.P. The aye vote on the motion was unanimous. Motion carried.

CAVALIER LAND PARTNERS FORBES-CAVALIER SUBDIVISION REQUEST

Mr. Kurpakus stated a separate application has been received requesting approval of a lot line revision to consolidate approximately .75 acre of the Forbes property into the Laurel Grove Development parcel. Mr. Kurpakus stated the planning commission recommended approval without conditions.

Motion was made by Frank Spagnolo and seconded by Ed Holdcroft to grant preliminary and final approval for the Forbes-Cavalier lot line revision. The aye vote on the motion was unanimous. Motion carried.

CAVALIER LAND PARTNERS LAUREL GROVE SUBDIVISION REQUEST

Mr. Gushard stated that the Laurel Grove subdivision plan has been previously discussed at numerous meetings and that the Township Parks and Recreation Commission, Environmental Advisory Council and Planning Commission have all provided their recommendations.

Mr. Avolio stated the developer has submitted the updated NPDES permit and DEP stream permits to the Township and asked Mr. Kurpakus if there have been any appeals to the issued permits. Mr. Kurpakus stated the Township is not aware of any appeals to either permit.

Mr. Avolio asked that the following recommendations from the planning commission be added to the Laurel Grove Preliminary and Final Subdivision Plan approval;

1. The developer is to initiate slope reforestation and buffer yard planting to the greatest extent possible prior to the release of building permits.
2. Compliance with the Parks and Recreation recommendation dated May 8, 2018.
3. Compliance with the EAC recommendation dated May 17, 2018.
4. Compliance with the LSSE review letter dated August 7, 2018.
5. Preparation of a Township Developers Agreement.

Mr. Avolio stated the following additional conditions should be considered if an approval is granted for the Laurel Grove plan;

1. Supplemental erosion control measures should be provided during home construction for lots draining towards adjoining slopes to prevent soil erosion potential.
2. The asphalt trail along Warrendale Road and Babcock Boulevard should be constructed 8' in width
3. The proposed internal trails and stormwater pond access roads should be constructed of asphalt in lieu of the proposed gravel and mulch.
4. No credit for the required street trees and greenway plantings should be provided to meet the EAC recommendation and the developer should provide enhanced buffer yard and slope reforestation planting to the Lake Macleod Development.
5. The developer shall request the Lake Macleod lake owner's authorization to perform baseline testing of the existing sediment bottom within the Lake Macleod lake prior to the issuance of grading permits for the development. The developer shall provide financial security in the amount of \$250,000 in favor of the lake owner to insure post construction testing and mitigation and prior to the release of NPDES permits and final acceptance of the roads by the Township.

Mr. Spagnolo added the he would like more oversight of the development with an emphasis on the grading sequence, along with more sediment control and recommended a condition of approval be included that limits the area being disturbed during construction and that the disturbance be seeded immediately following completion of the work.

Mr. Kamin stated that he did not foresee any issues with several of the conditions however he did question the jurisdiction of the Township to request a bond to be held by private citizens; the owner of the lake or the Homeowners Association.

Mr. Kamin questioned access to the lake to do baseline testing. He stated the owner could hold that up indefinitely which would delay the issuance of the grading permit. Mr. Kamin requested that there be a timeframe specified for the lake owner to provide access to the lake. Mr. Avolio stated that a realistic timeframe would 45 to 60 days to grant access to the lake. In addition, Mr. Avolio stated that the baseline testing and the posting of the bond would need to be completed prior to the release of Grading Permits.

Mr. Kamin stated that the baseline testing along with posting the bond may be acceptable, but his concern is the timing of the testing and how the process will continue to move forward based on accessibility to the lake and its owner. Mr. Kamin stated a concern regarding future damage caused during development, how will the amount be determined, what will be the measurable and tangible proof.

Mr. Avolio stated that the Township and the residents of Lake MacLeod need to have recourse if further damage occurs to the lake that can be attributed to the continued development of the Laurel Grove Plan. Mr. Avolio stated that agreement to the conditions would help ensure that the developer would fulfill the agreement including the conditions.

Mr. Holdcroft stated that protection of the lake is important, and it is not acceptable to let the condition of the lake further deteriorate. Mr. Holdcroft stated that there needs to be some responsibility for the condition of the lake.

Mr. Holdcroft suggested at this time the motion for approval be tabled.

Mr. Kamin stated the developer would not have an issue planting an additional 388 trees for the buffer yard planting however he requested that their Geotechnical engineer be allowed to review the impact of the additional planting on the existing slope. Mr. Kamin stated they would prefer to limit disturbance of the existing slopes. Mr. Kamin stated the developer would not have an issue supplying erosion controls during home construction.

Mr. Kamin questioned some of the areas for the trail and referred to Grant Shirring from PVE Engineering. Mr. Shirring asked if the 8foot width included the location along Babcock near the detention pond as the existing pond slope and road would limit the width of trail that could fit and requested if this could be field determined with Township staff.

Mr. Avolio suggested that the motion be tabled for more details.

Mr. Gushard stated that the motion could be tabled to the next meeting to be held on November 5<sup>th</sup>, 2018 for the staff to work through the details of the conditions.

Mr. Kamin requested a copy of Mr. Avolio's conditions.

Mr. Avolio stated that a copy of the meeting minutes outlining the conditions discussed be provided to Mr. Kamin prior to the Board of Supervisors meeting on November 5<sup>th</sup>, 2018.

Mr. Kunz requested a copy as well.

Motion was made by Ed Holdcroft and seconded by Pat Avolio to table the preliminary and final approval of the proposed Laurel Grove Land Development. The aye vote on the motion was unanimous. Motion carried.

#### PARKS AND RECREATION COMMISSION

Motion was made by Frank Spagnolo and seconded by Pat Avolio to table repairs to the HVAC system at the Pine Community Center. The aye vote on the motion was unanimous. Motion carried.

#### FRIENDS OF PINE COMMUNITY PARKS

Mr. Gill reported to the Board that the Friends of Pine Community Parks would like permission to form a committee to explore the addition of an aquatic feature at the Pine Community Center or within the limits of the park. Mr. Gill requested that the committee be made up of 2 members from Friends of Pine Community Parks, 2 members of the Board, Joni Patsko, Director of Parks and Recreation, Scott Anderson, the Township of Pine Manager and 2 members of the community. Mr. Gill stated that he would like the committee to assist creating plan options and conduct a community survey to determine the level of interest the community would have for an Aquatic Feature.

Mr. Avolio stated that there should be a referendum for the residents to determine if there is enough interest to add a water feature paid for with tax dollars.

Mr. Gill responded that they would like to first conduct a survey to gather information from the residents to determine if they want an aquatic feature and/or what kind of feature they would prefer. Mr. Gill stated that the choices would include; a pool (indoor or outdoor), or a splash pad (connected to the Community Center or part of the park). Mr. Gill stated that after they receive the information then it could go to a referendum.

Mr. Avolio stated that the funding of the aquatic feature should also be considered, a grant funded project is very different than a tax funded project.

Mr. Gill stated that these are some of the reasons we would like to form a committee, to create a plan and determine how to expedite the plan.

Mr. Dennehy stated it has been difficult to come to an agreement on what the community wants. He stated that the first step should be to determine the interest, if any.

Mr. Spagnolo stated that in the past the Board has traveled to different municipalities that have aquatic features and stated that the cost to maintain the features is also a factor.

Mr. Spagnolo agreed that the first step should be to survey the residents and determine the level of interest for an aquatic feature.

Mr. Gill stated that there is a company that will conduct the marketing survey and measure the results. He stated that right now they would like to create the committee to organize the project and conduct a survey of the residents.

Motion was made by Pat Avolio and seconded by Ed Holdcroft to form a committee to investigate the possible addition of an Aquatic Feature at the Pine Community Center or within the Pine Park. The 2 committee Board members will be Ed Holdcroft and Phil Henry with the alternate being Frank Spagnolo. The aye vote on the motion was unanimous. Motion carried.

#### NORTH HILLS COG

Mr. Spagnolo stated he had nothing new to report.

#### PINE RICHLAND SCHOOL DISTRICT

Mr. Henry reported that Homecoming was the weekend of October 13<sup>th</sup> and that the school district has created a strategic partnership that will work on initiatives for 2019. Mr. Henry informed the Board that the Boys and Girls golf teams are doing very well.

#### NORTHERN TIER LIBRARY

Ms. Illis congratulated the Board for the Pittsburgh Magazine article featuring the Township of Pine's standing for the Best Housing. Ms. Illis also handed out to the Board her report that went to the RAD Board.

#### NORTHERN REGIONAL POLICE DEPARTMENT

Captain Sicilia indicated that the Northern Regional Police Department's written report was in the Board packet and had nothing further to report.

Captain Sicilia reported that the Northern Regional Police Department would be recognizing Halloween 2018 on Wednesday, October 31<sup>st</sup> and trick treating would be between 6 PM and 8 PM.

Chief Amann reported that the NRPD along with several area emergency service departments escorted a group of veterans as they returned from a trip to Washington D.C. on October 6<sup>th</sup>, 2018.

#### WEXFORD VOLUNTEER FIRE COMPANY

Mr. Flaherty indicated that the Wexford Volunteer Fire Company written report was in the Board packet and reported that the contracts are all set for the Fire Company and that work has begun on fixing the Aerial Truck.

Mr. Flaherty stated his gratitude to the Board for their participation at the Fire Company Banquet over the weekend and for their support overall.

Mr. Dennehy acknowledged the check for the 2018 Foreign Fire Relief State Aid that was received by the Township in the amount of \$99,944.67. Mr. Dennehy presented the check to the Wexford Volunteer Fire Company Relief Association.

#### SOLICITOR

Mr. Gushard indicated he had nothing further to report.

LENNON SMITH SOULERET ENGINEERS REPORT

Mr. Brett indicated that the Lennon Smith Souleret Engineers written report was in the Board packet and had nothing further to add.

CODE ADMINISTRATION AND LAND DEVELOPMENT

Motion was made by Pat Avolio and seconded by Frank Spagnolo to approve Resolution No. 951 the adoption of Pleasant Ridge Drive and a portion of Golden Grove Drive in the Pleasant Ridge Plan as Township Roads. The aye vote on the motion was unanimous. Motion carried.

Motion was made by Phil Henry and seconded by Pat Avolio to approve Resolution No. 998 the adoption of Eddie Lewis Drive in the Village at Pine, Phase 5C Plan as Township Roads. The aye vote on the motion was unanimous. Motion carried.

Motion was made by Frank Spagnolo and seconded by Ed Holdcroft to approve Resolution No. 999 the adoption of a portion of Balsa Drive and Magnolia Court in the Alderwood Phase 4 Plan as Township Roads. The aye vote on the motion was unanimous. Motion carried.

PUBLIC WORKS

Mr. Barbarino indicated that the Public Works written report was in the Board packet and had nothing further to add to the report.

Motion was made by Frank Spagnolo and seconded by Pat Avolio to approve advertising the sale of the Public Works 2008 Chevy Pickup Truck with 147,092 miles on Municibid. The aye vote on the motion was unanimous. Motion carried.

TREASURER'S REPORT FOR SEPTEMBER 2018

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

ORDINANCE NO. 386, ESTABLISHING THE MEANS FOR A POSSIBLE HOMESTEAD/FARMSTEAD EXCLUSION

Motion was made by Frank Spagnolo and seconded by Pat Avolio to open the Public Hearing regarding Ordinance No. 386, establishing the means for a possible Homestead/Farmstead Exclusion. The aye vote on the motion was unanimous. Motion carried.

No public comment was offered.

Motion was made by Ed Holdcroft and seconded by Michael Dennehy to close the Public Hearing regarding Ordinance No. 386, establishing the means for a possible Homestead/Farmstead Exclusion. The aye vote on the motion was unanimous. Motion carried.

Motion was made by Pat Avolio and seconded by Ed Holdcroft to adopt Ordinance No. 386, establishing the means for a possible Homestead/Farmstead Exclusion. The aye vote on the motion was unanimous. Motion carried.

ADMINISTRATIVE MATTERS

Motion was made by Ed Holdcroft and seconded by Pat Avolio to approve of the Township of Pine's Contribution to the 2019 Northern Regional Police Department Final Budget. The aye vote on the motion was unanimous. Motion carried.

Motion was made by Frank Spagnolo and seconded by Pat Avolio to authorize advertising a Public Hearing for proposed Ordinance No. 387, adopting a revised Stormwater Management Ordinance consistent with Allegheny County Act 167 Plan. The aye vote on the motion was unanimous. Motion carried.

Motion was made by Ed Holdcroft and seconded by Frank Spagnolo to authorize advertising a Public Hearing for proposed Ordinance No. 388, to create the Skylark Drive Water District. The aye vote on the motion was unanimous. Motion carried.

Motion was made by Frank Spagnolo and seconded by Pat Avolio to ratify the appointment of Larry A. Kurpakus as the Township of Pine, Assistant Manager, effective September 17, 2018. The aye vote on the motion was unanimous. Motion carried.

ADJOURNMENT

Motion was made by Michael Dennehy and seconded by Pat Avolio to adjourn. The aye vote on the motion was unanimous. Motion carried.

The meeting adjourned at 8:22 p.m.



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Recording Secretary



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Township Manager