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Council Meeting
Monday, April 25, 2016 7:30 PM
Council Chambers, Municipal Building
610 East McMurray Road, McMurray, PA 15317

Roll Call

Present: Frank Arcuri, James Berquist, David Ball, Robert Lewis, Monica Merrell, Gary Stiegel Jr., Frank Kosir Jr.

Also: Michael A. Silvestri, Township Manager
Paul Lauer, Assistant Township Manager
John Smith, Township Solicitor
Mark A. Zemaitis, Township Engineer
Edward J. Zuk, Planning Director
Harry J. Fruecht, Police Chief

1. Approval of Minutes

Motion: To approve the minutes of the April 11, 2016 Council meeting.

Action: Approve

Moved by Monica Merrell, **Seconded by** David Ball

Vote: Motion carried by unanimous roll call vote (summary: Yes = 7)

Yes: David Ball, Frank Arcuri, Frank Kosir Jr., Gary Stiegel Jr., James Berquist, Monica Merrell, Robert Lewis

2. Special Reports – There were none.

3. Audience Comments – There were none.

4. Unfinished Business – There was none.

5. New Business

5. A. Braeburn Drive

As Council is aware the Township has an issue with illegal traffic movements at the intersection of Braeburn Drive and East McMurray Road. The intersection was designed for right turn only in and out. People have been going in the opposite lane or making a variety of unusual turns on East McMurray Road to be able to turn into Braeburn from McMurray. The Anthony Farm plan has 2 access points, this restricted on and an entrance off of Club View Drive. The distance between the two access points is about ½ mile. The situation is so frequent that many people have observed the illegal turns; Mr. Silvestri has observed it on at least 2 occasions himself.

Mrs. Sue Deegan, 315 Braeburn Drive, addressed Council regarding the intersection of Braeburn Drive and East McMurray Road. She stated that prior to living on Braeburn Drive she lived on Tanglewood Drive. She originally thought that restricting access to and from East McMurray Road would be beneficial. Since moving to Braeburn she has witnessed several incidents where drivers have totally ignored the signage and

made left had turns into Braeburn Drive; they also turn into Tanglewood and then shoot across East McMurray Road to make entrance into Braeburn Drive. She considers this action to be illegal and dangerous. She is asking that Council reconsider the traffic pattern at the Braeburn/East McMurray Road intersection and allow full access in the best interest of public safety. She also stated that the Peters Township School District is in favor of making that intersection full access for the school buses.

Mr. Berquist said that he also believes this is a safety concern. He said that this intersection affect 58 residents. He feels that it is inconceivable to change an intersection because 58 residents are inconvenienced.

Mr. Arcuri asked if the island was to be eliminated, where would the children wait for the bus since there is a detention pond on one side and the hillside on the other.

Mrs. Deegan replied that she believes that you never want children in the center of the road. They are much safer standing on the side of the road.

Mrs. Merrell said that she spoke to the Chairman of the Building and Grounds Committee and he said that it has never been discussed nor have any residents attended a meeting to discuss safety issues. There needs to be an alternative if the island is eliminated. She does not believe that have children standing on the edge of Eats McMurray Road is the answer.

Mrs. Deegan said that when she lived on Tanglewood her children stood on East McMurray Road for 10 years to catch the bus.

Council took no action at this time. Council did ask the Township Manager to have the traffic engineer to review the situation and make suggestions.

5. B. Old Trail 14 Amended

The Weiss' and Stofik's are both adding land to their existing lots from lot1419. The Weiss' will end up with a 1 acre lot and Stofik's a .559 acre lot. Lot 1419 will be eliminated.

Mr. Zuk said that the Planning Commission has approved this request at the April 14, 2016 meeting.

Motion: To approve, for recording purposes only, the final plan of the Old Trails Phase 14, amended Plan, of a subdivision of Lots 1418, 1419 and 1420 for Kevin Stofik on drawings by Wind Ridge Engineering dated March 2016.

Action: Approve

Moved by Frank Arcuri, **Seconded by** James Berquist

Vote: Motion carried by unanimous roll call vote (summary: Yes = 7)

Yes: David Ball, Frank Arcuri, Frank Kosir Jr., Gary Stiegel Jr., James Berquist, Monica Merrell, Robert Lewis

5. C. Bower Hill Road Traffic Calming

A valid petition of over 20 households has been submitted, requesting a traffic calming study on Bower Hill Road from Bebout to McCombs Road. Under the Township's current policy, the next step is for Council to

authorize traffic counts. The Traffic Calming committee is currently in the study process for Old Washington Road, in addition Crosswinds Drive is waiting in the wings for a study.

Mr. Silvestri said that after the committee met; one of the things that they were looking at is revising the qualifications for traffic calming. The current Township policy is vehicles 7 miles over the speed limit would qualify for a study. The state policy is vehicles 10 miles over the speed limit.

Mr. Arcuri asked if the Township amends the policy to 10 miles over the speed limit will this change the current proposal. Mr. Silvestri stated that would be up to Council.

Mrs. Merrell said that she does not believe that this is a good idea. It depends on the class of road; on a main road 10 miles over the speed limit may be doable, on a residential street it is dangerous.

Motion: To accept the petition of the residents of Bower Hill Road and to authorize Council to do traffic counts on the northern portion of Bower Hill Road.

Action: Approve

Moved by Gary Stiegel Jr., **Seconded by** Monica Merrell

Vote: Motion passed (summary: Yes = 6, No = 1, Abstain = 0)

Yes: David Ball, Frank Kosir Jr., Gary Stiegel Jr., James Berquist, Monica Merrell, Robert Lewis.

No: Frank Arcuri

5. D. Child Abduction Response Effort

The District Attorney's office is creating a mutual aid program that would address cooperation of multiple police departments and his office to address child abductions. The effort will involve training of participants and protocols. This program is not in place and the DA's office is looking to see if there is any interest. The Chief believes this may prove to be a worthwhile effort and Mr. Silvestri recommends participation. The solicitor has reviewed the agreement.

Chief Fruecht said that the purpose of this request is to see if communities are interested in putting a CART team together. If the County decides to go forward specific training will be provided relative to investigations of child abductions. He said that by signing the MOU (Memo of Understanding) the Township is not obligated into participating in the program. It just indicates that Peters Township is interested in the program.

Council had a number of questions and concerns about how the program will work and Township obligations. Council did not sign or approve the agreement as presented, but it did indicate a willingness to consider participation based on the MOU.

5. E. CR & MR Zoning & Subdivision Ordinance Public Hearing

The Planning Commission has reviewed the final draft of these ordinances and has recommended approval. At this time, the Township is in a position to schedule a public hearing. The earliest date that would be an available Monday would be June 20, 2016.

Consensus of Council was to schedule a Public Hearing on June 20, 2016 to be held at the Middle School Auditorium.

5. F. Tax Appeal 02-2016

The tax payer currently lives in Colorado, but was completing a payment plan for back taxes. He has been paying on the plan promptly for the past 1.5 years and is asking relief of penalty and interest. Mr. Silvestri recommends waiving the penalty and not the interest. He believes this may actually result in the final payment and making the Township whole. Approval of Tax Appeal decision 02-2016 is recommended.

Motion: To approve the recommendations of the Township Manager regarding Tax Appeal No. 02-2016; waiving the penalty but not the interest.

Action: Approve

Moved by Frank Arcuri, **Seconded by** David Ball

Vote: Motion carried by unanimous roll call vote (summary: Yes = 7)

Yes: David Ball, Frank Arcuri, Frank Kosir Jr., Gary Stiegel Jr., James Berquist, Monica Merrell, Robert Lewis

5. G. Bond Counsel

Proposals were sought for Bond Counsel for the Rolling Hills Acquisition. Three firms were contacted, one declined due to a conflict, they are working for the developer. The other 2 submitted bids, Reed Smith (Jeff Mills) was at \$10,500 plus expenses and Dinsmore & Shohl is \$11,750 plus expenses. Mr. Silvestri would recommend Reed Smith.

Mr. Lewis raised a concern of a conflict of interest with Reed Smith due to Mr. Mills being on the Planning Commission and the developers of the site have filed a plan with the planning commission.

Mr. Kosir did not believe his position of bond counsel would impact his role as planning commissioner.

Mr. Silvestri said that he believes that the most reasonable action would be to have Mr. Mills recuse himself from this matter when it comes before the Planning Commission.

Mr. Arcuri stated he could see where this could be considered a conflict. He stated that he would not be adverse to go with the other applicant.

Mr. Smith will speak to Mr. Mills to discuss the potential of recusing himself if this matter comes before the Planning Commission.

Motion: To appoint the firm of Reed Smith as Bond Counsel for the Rolling Hills Country Club acquisition.

Action: Approve

Moved by James Berquist, **Seconded by** Frank Kosir Jr.

Vote: Motion passed (summary: Yes = 4, No = 3, Abstain = 0)

Yes: David Ball, Frank Arcuri, Frank Kosir Jr., James Berquist

No: Gary Stiegel Jr., Monica Merrell, Robert Lewis

6. Payroll and Bills

Motion: Motion to pay the Payroll and Bills as follows; Payroll Account: Checks # V111507 – V11161. 44596 – 44601; General account: Checks # 144890 – 145011.

Action: Approve

Moved by Robert Lewis, **Seconded by** Frank Kosir Jr.

Vote: Motion carried by unanimous roll call vote (summary: Yes = 7)

Yes: David Ball, Frank Arcuri, Frank Kosir Jr., Gary Stiegel Jr., James Berquist, Monica Merrell, Robert Lewis

7. Correspondence

Letter to SHACOG Purchasing Alliance dated April 1, 2016

The Township is being asked by SHACOG to act on the option year for salt, which will mean that the increase for salt will be increased by the CPI number for April; the March CPI is .9%. Cargill would also have to agree on the option year. SHACOG is recommending that the Township accept the option. If Council does not object, Mr. Silvestri will proceed.

Motion: To authorize the Township Manager to send a letter exercising the 1 year option with Cargill for bulk winter road salt for the 2016/2017 season.

Action: Approve

Moved by Frank Arcuri, **Seconded by** Monica Merrell

Vote: Motion carried by unanimous roll call vote (summary: Yes = 7)

Yes: David Ball, Frank Arcuri, Frank Kosir Jr., Gary Stiegel Jr., James Berquist, Monica Merrell, Robert Lewis

Letter from Government Finance Officers Association dated April 1, 2016

The Township’s 2016 budget did meet the criteria to qualify for the GFOA’s distinguished budget award. Mr. Silvestri would like to commend the staff, Council and especially Paul Lauer and Tom Gromek for their efforts in preparing this document.

Council congratulated PAUL Lauer and staff for a job well done.

Letter from Community Bank dated April 14, 2016

Community Bank has a policy on loans over a certain amount to contribute to a charity of the clients’ choice. It has to be a 501c3 organization. Therefore Mr. Silvestri recommended the Friends of the Library.

8. Reports

Reports submitted fro review and discussion:

- | | |
|----------------|----------------------|
| Administration | Planning |
| Financial | Engineering |
| Solicitor | Public Works |
| Public Safety | Parks and recreation |
| Police | Cable TV |
| Fire | Library |

9. Miscellaneous

PML

Mr. Silvestri attended the Regional Municipal League Meeting. Public Private Partnerships were reviewed as well as recent legislation including new investment options. Proposed executive session mandates were discussed and the annual push for local police use of radar. A complete list is attached. The statewide meeting was announced to occur in Lancaster in October. There will be a City Summit in Pittsburgh in November.

Library Amnesty Program

During the 7 days of Fine Forgiveness Week the Library forgave \$3,068 in fines. A total of 500 overdue items were returned and much good-will was created.

MRM

The Township's Workers' Compensation program paid the Township a dividend of \$19,928.15, which is a 5.7% dividend. It is the Township's first dividend and Mr. Silvestri believes this reflects the efforts of the Township Workplace Safety Committee.

Council was pleased with the dividend from MRM for workers compensation and suggested that some program using a portion of the funds, thanking the employees for their efforts toward improved safety be implemented.

Zika Virus

Mrs. Merrell asked if the Township is being proactive to spray around detention/retention programs.

Mr. Silvestri said that an article in the Township magazine is planned but does not have a program designed for the Township to do. He does not believe that this should be a Township function; it should be the County or States jurisdiction to spray. He will contact the DEP and County to see if any funding were available.

10. Next Agenda – There were no items requested to be placed on the next agenda.

11. Adjournment

The meeting was adjourned at 8:35 PM.

Michael A. Silvestri
Township Manager

Executive Sessions

Public Works Hiring –Council reviewed specific applicants to determine if part time or full time positions be filled.