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REGULAR COUNCIL MEETING
Monday, November 28, 2016 ~ 7:30 P.M.
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:

Paul F. Lauer, Township Manager
Ryan Jeroski, Assistant Township Manager
John Smith, Township Solicitor
Mark A. Zemaitis, Township Engineer
Ed Zuk, Planning Director

Pledge of Allegiance

Public Hearing - 2017 Operating Budget and Capital Improvement Program – See separate transcript

1. Approval of Minutes

A. Approve the Minutes of the Regular Council Meeting of November 14, 2016

Motion: To approve the minutes of the Regular Council Meeting of November 14, 2016

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

B. Approve the transcript of the Public Hearing held on November 14, 2016

Motion: To approve the transcript of the Public Hearing on November 14, 2016 amending the 2016 Operating Budget

Action: Approve, **Moved by** Frank Arcuri, **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.

C. Approve the transcript of the Public Hearing held on September 19, 2016

Mr. Ball submitted changes to the transcript. These changes need to be corrected before the transcript will be approved.

Motion: To table the approval of the transcript of the Public Hearing held on September 19, 2016

Action: Table, **Moved by** Frank Kosir Jr., **Seconded by** Frank Arcuri

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 no special reports

3. Audience Comments

Dan Degnan – 101 Greenbriar Drive – Returned to Council regarding the group home located on Greenbriar Drive. The police were summoned to the property two (2) days in a row for disruptive behavior from one (1) of the patients residing in the home. Mr. Degnan presented a petition, signed by neighbors, to Council requesting changes to the way the home is run and changes to the home and property itself.

4. Unfinished Business

A. Agreement regarding the development of the Primrose Parcel and the construction and installation by Primrose of traffic signal at the intersection of Galley Road and Waterdam Road

The agreement requires Primrose to post a bond at 110% of the value of the traffic signal to be constructed. In recognition of this guarantee Primrose will be permitted to occupy the building if the signal isn't completed. In addition, if that signal is not operational the Township can modify the means of ingress and egress to the site until the signal is completed.

Motion: To approve the agreement regarding the traffic signal with Primrose

Action: Approve, **Moved by** David Ball, **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

5. New Business

A. Resolution 11-02-16 authorizing the appropriate official to file a permit application for a traffic signal at the intersection of Waterdam and Galley Road

With the agreement with Primrose in place, the Township is now in a position to file a permit application for the traffic signal. The Manager's recommendation is for Council to adopt the proposed resolution so as to authorize the Township Manager to prepare and submit an application to PennDOT for the traffic signal.

Motion: To approve the adoption of Resolution 11-02-16 authorizing the Township Manager to apply for the appropriate traffic signal

Action: Approve, **Moved by** Frank Kosir Jr., **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

B. Ordinance amending the 2016 Operating Budget

This amendment adjusts the budget to reflect the spending program that was executed. The one (1) significant change in the budget is the proceeds from the bond issue as well as the expenditure of funds to acquire the former Rolling Hills Country Club. There was one (1) minor modification made to the

amendment since the last meeting. That is the transfer, the expenditure for additional protective equipment for the police officers from next years' budget into this years'.

Motion: To approve the adoption of Budget Amendment Ordinance 806; An Ordinance of Peters Township , Washington County, Commonwealth of Pennsylvania, amending ordinance number 792, 2016 Peters Township Operating Budget

Action: Approve, **Moved by** Frank Arcuri, **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

C. Ordinance amending the fines associated with illegal parking

This ordinance does not change the fine of \$50 for illegal parking. It does, however, increase the amount that is due for the 'early pay' option which is paying within ten (10) days of receiving the ticket. This covers not only parking violations in the park, but parking violations throughout the Township. The citations will also be modified to show the fine of \$50 with the explanation of the 'early pay' fee of \$25.

Motion: To approve the adoption of Ordinance 807; an ordinance to amend the code of Peters Township, County of Washington, Commonwealth of Pennsylvania, amending the Peters Township Code of Ordinances Chapter 410 "Nuisances" Article III "Parking Regulations" Part 23 to set new fees for violations and penalties.

Action: Approve, **Moved by** James Berquist, **Seconded by** Gary Stiegel 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

D. Ordinance authorizing warrantless arrests as provided for under Pennsylvania statute

To be able to conduct warrantless arrests in Pennsylvania, municipalities are required to enact a set of procedures. Peters Township has conducted warrantless arrests for a number of years, however through a review by Chief Grimes and Captain Ford a gap has been found in police procedures.

Motion: To approve the adoption of Ordinance 808; an ordinance to amend the code of Peters Township, County of Washington, Commonwealth of Pennsylvania, establishing guidelines for Peters Township Officers making warrantless arrests under section 8902 of title 42 of the Pennsylvania consolidated statues, 42 PA.CSA. Section 8902

Action: Approve, **Moved by** Frank Arcuri, **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

E. Ordinance amending Chapter 274 Part 2 of the Peters Township Code of Ordinances as it relates dying or dead trees

The ordinance gives the Township jurisdiction to enforce removal of dead or diseased trees if they're beyond 100 feet of a structure. What has been discovered is that many trees that were affected by the ash borer are on the edge of the right-of-way and pose a danger to the public by falling onto communication or

electric lines or falling into the right-of-way. If these trees are further than 100 feet from a structure, the Township cannot enforce their removal. This amendment will give the Township the ability to do that.

Motion: To approve the adoption of Ordinance 809; an ordinance to amend the Code of Peters Township, County of Washington, Commonwealth of Pennsylvania, amending the Peters Township Code of Ordinances Chapter 274 “Nuisances” Part 2 to remove the restriction on declaring dead or diseased trees and toxic vegetation as public nuisances. **Action:** Approve, **Moved by** Frank Kosir Jr., **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

F. Acceptance of the resignation of Terry Byrne from the Peters Township Sanitary Authority Board

Motion: To approve the acceptance of the resignation of Terry Byrne from the Peters Township Sanitary Authority Board with regret and with thanks for his service.

Action: Approve, **Moved by** Monica Merrell, **Seconded by** Frank Arcuri

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

G. Appointment of Dale Griffith to fill an existing vacancy on the Zoning Hearing Board

Mr. Griffith is currently serving as an alternate on the Zoning Hearing Board.

Motion: To approve the appointment of Dale Griffith to fill the existing vacancy on the Zoning Hearing Board

Action: Approve, **Moved by** David Ball, **Seconded by** Frank Arcuri

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

6. Payroll and Bills

Mr. Lewis acknowledged the cumulative total of about \$800,000 in fees for loan payments.

Motion: To pay the Payroll and Bills as follows: General Fund: Checks # 146356 – 146433; Payroll Account: Checks # V113583 – V113714; 44664 – 44666

Action: Approve, **Moved by** Robert Lewis, **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

7. Correspondence

A. Letter from Shirley Mitchell dated November 15, 2016 concerning the need for a retirement home.

B. Letter from Susan Key dated November 17, 2016 concerning assessment appeal hearings.

This letter is discussing the status of assessment appeal hearings. After discussion, it was agreed upon that the Township need not take action on the appeals. The Township Manager will keep Council apprised of those cases as they are filed.

8. Reports – Reports submitted for review and discussion.

Mr. Kosir asked if there is a reason police reports from the Township are no longer published in the Observer. Mr. Lauer explained that the Township has not changed its policy about releasing that information. Normally a reporter would pick that information up from the office.

Mrs. Merrell asked about Public Works chipping piles of yard waste. The Township Manager explained that this has become a problem because some residents are leaving more than what Public Works is supposed to take under the program. Most requests for this service follow the rules for the amount permitted, however there are several that have larger piles. The Township Manager would like to put a limit on how much time is allotted to each property for this service. He proposed an hour of ‘free time’ with a charge if the service time goes beyond that.

9. Miscellaneous

Mrs. Merrell mentioned that there were reported West Penn Power outages due to a raccoon gaining access to a transformer.

Mrs. Merrell wanted to remind people that the tree lighting is scheduled for Sunday, December 4 at 6PM at the library.

10. Next Agenda

11. Adjournment

The meeting was adjourned at 8:40 PM.

Paul F. Lauer
Township Manager

There was a brief Executive Session.