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**REGULAR COUNCIL MEETING**  
**Monday, April 10, 2017 ~ 7:30 P.M.**  
**Council Chambers, Municipal Building**  
**610 East McMurray Road, McMurray, PA 15317**

**Roll Call**

**Present:** Frank Arcuri, David Ball, Monica Merrell, Gary Stiegel Jr., Frank Kosir Jr.

**Excused:** James Berquist, Robert Lewis

**Also**

Paul F. Lauer, Township Manager

Ryan Jeroski, Assistant Manager

John Smith, Township Solicitor

Ed Zuk, Planning Director

Jason DiLoreto, Assistant Engineer

**Pledge of Allegiance**

**1. Approval of Minutes**

Mrs. Merrell had an addition to Section 10 "Next Agenda" that has been updated.

**Motion:** To approve the Minutes of the Regular Council Meeting of March 27, 2017

**Action:** Approve, **Moved by** Frank Kosir Jr., **Seconded by** David Ball

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5)

**Yes:** David Ball, Frank Arcuri, Frank Kosir Jr., Gary Stiegel Jr., Monica Merrell

**2. Special Reports**

**Patrick Airhart, Peters Township Park and Recreation Board**

Mr. Airhart updated Council on two (2) quarters of Parks and Recreation reports.

Mr. Stiegel asked if any permits have been issued for alcohol consumption in the park. Ms. Harmel responded that the permit applications are not yet ready but will be in time for the season. Anybody who has already rented a pavilion will receive an email informing them that alcohol permits are available and consumption in the park is an option.

**3. Audience Comments** – There were no audience comments

**4. Unfinished Business**

**Agreement with Kamwood Realty, L.P. covering a Highway Occupancy Permit for an enclosed surface storm water facility on the proposed Primrose site**

Mr. Arcuri pointed out a few errors that need to be corrected within the agreement.

**Motion:** To approve the agreement with Kamwood Realty, L.P. covering a Highway Occupancy Permit for an enclosed surface storm water facility on the proposed Primrose site

**Action:** Approve, **Moved by** Frank Kosir Jr., **Seconded by** Monica Merrell

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5)

**Yes:** David Ball, Frank Arcuri, Frank Kosir Jr., Gary Stiegel Jr., Monica Merrell

## 5. New Business

### 5.A. Consent Agenda

1. Earned Income Tax Appeal Case 01-2017
2. Earned Income Tax Appeal Case 02-2017
3. Earned Income Tax Appeal Case 03-2017
4. Earned Income Tax Appeal Case 04-2017
5. Earned Income Tax Appeal Case 05-2017
6. Earned Income Tax Appeal Case 06-2017
7. Proclamation recognizing Seth Stoll, member of Boy Scout Troop 4, for earning the rank of Eagle

**Motion:** To approve the Consent Agenda

**Action:** Approve, **Moved by** David Ball, **Seconded by** Frank Kosir Jr.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5)

**Yes:** David Ball, Frank Arcuri, Frank Kosir Jr., Gary Stiegel Jr., Monica Merrell

### 5.B. Resolution authorizing the appropriate officials to make application for a grant to the Pennsylvania Department of Conservation and Natural Resources for the purpose of installing a new playground and ADA improvements

Mrs. Merrell asked what the total project cost is and the Township Manager responded that it is slightly over \$300,000 with 50% funding.

**Motion:** To approve Resolution 04-01-17 authorizing the appropriate officials to make application for a grant to the Pennsylvania DCNR

**Action:** Approve, **Moved by** Monica Merrell, **Seconded by** Frank Kosir Jr.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5)

**Yes:** David Ball, Frank Arcuri, Frank Kosir Jr., Gary Stiegel Jr., Monica Merrell

### 5.C. Bid award for a contract to HRG to provide design services and bid documents for the Peterswood Park Shelter 2 and Playground Redevelopment Project

Mr. Stiegel asked if the engineering costs were part of the 50% match and the Manager responded that they are.

**Motion:** To approve awarding the bid contract to HRG

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

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5)

**Yes:** David Ball, Frank Arcuri, Frank Kosir Jr., Gary Stiegel Jr., Monica Merrell

**5.D. Authorization for a temporary construction easement to facilitate Columbia Gas line replacement in the vicinity of Peterswood Park**

Mr. Kosir is concerned that there is no indemnification language in the agreement. Mr. Kosir believes that if the Township is granting a construction easement to Columbia Gas they, at a minimum, should indemnify the Township in the case somebody is injured while visiting the park. Mr. Arcuri concurs with Mr. Kosir.

Mr. Arcuri asked if there is a start date for the project. Ms. Harmel responded that the project is to begin in the spring in order to be completed in time for the fall sports season. The intent of Columbia Gas is to be finished by mid-summer.

**Motion:** To approve the request subject to the insertion of indemnification language that is acceptable to the Township Solicitor

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

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5)

**Yes:** David Ball, Frank Arcuri, Frank Kosir Jr., Gary Stiegel Jr., Monica Merrell

**5.E. Approval, for recording purposes, of the Canterwood Manor Plan of Lots revised as shown on drawings prepared by J.R. Gales and Associated last revised on February 15, 2017 and prepared for the Estate of George Rauch and Lynn J. Rauch**

Mr. Arcuri's understanding is that this is condensing four (4) lots into two (2).

**Motion:** To approve the revised plan for the Canterwood Manor Plan of Lots

**Action:** Approve, **Moved by** David Ball, **Seconded by** Frank Kosir Jr.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5)

**Yes:** David Ball, Frank Arcuri, Frank Kosir Jr., Gary Stiegel Jr., Monica Merrell

**5.F. Resolution authorizing the acceptance of public improvements Hamlet of Springdale Plan – Phase 3**

Mr. Kosir asked if the tax office automatically takes the streets off of the tax roll once the Township accepts the dedication of the roadway. The Township Manager responded that one (1) of the things the Township needs to do is to require the developer to supply a 'No Lien' letter showing that the taxes have been paid. The county will waive those taxes if the Township has taken over the property, but it is a tax obligation that could be evaded by simply turning it over to the Township.

The Township Manager wanted to discuss the need for this property and whether or not Council wants to examine the possibility of being sure the Township has the gas rights. Mr. Arcuri noted that the developer is retaining the gas rights. Mr. Kosir responded that in the future the Township should obtain the mineral rights so there can be no future drilling under Township streets.

Mrs. Merrell asked how that would be determined. Mr. Kosir responded that the question is whether the Township can at this point. He believes that if the Township wants to demand the mineral rights it would have had to be part of the original subdivision. Mr. Ball asked what would happen if the developer doesn't own the mineral rights. The Solicitor explained that they would have already been cut out before development began, but if it comes up to future boards it will have at least been addressed. Mr. Kosir believes that this should be a condition of approval in the future that whatever rights the developer had are then passed on to the Township.

**Motion:** To approve Resolution 04-02-17; A RESOLUTION OF THE COUNCIL OF PETERS TOWNSHIP, WASHINGTON COUNTY PENNSYLVANIA, ACCEPTING AND ADOPTING BUCKINGHAM DRIVE AND CAMDEN DRIVE AS SHOWN IN THE DESCRIPTION ATTACHED TO THIS RESOLUTION AS TOWNSHIP STREETS AND ACCEPTING ALL PUBLIC IMPROVEMENTS AND DEDICATED EASEMENTS AS SHOWN ON THE HAMLET OF SPRINGDALE PHASE 3 FINAL PLANS, with the listed conditions and exclusions of the Storm Water Detention and the open space

**Action:** Approve, **Moved by** Monica Merrell, **Seconded by** David Ball

**Vote:** Motion passed (**summary:** Yes = 4, No = 0, Abstain = 1)

**Yes:** David Ball, Frank Kosir Jr., Gary Stiegel Jr., Monica Merrell

**Abstain:** Frank Arcuri

#### **5.G. Bid award for the 2017 Peters Township road paving program**

Mr. Stiegel asked what concerns Mr. Zemaitis had with Mele & Mele & Sons, Inc. and why only the base bid is being recommended. The Township Manager responded that Mr. Zemaitis doesn't have experience with this company, their principal experience prior to this has been site development. In addition paving budget is tight this year since the Township has not received funds under the Local Share Program.

Mrs. Merrell questioned their capacity to finish the work since Mele & Mele & Sons already have contracts with Brentwood, Mt. Lebanon, and Bethel Park and the fact that Mele and Mele lack of experience with municipal paving projects. Mr. DiLoreto confirmed they will be able to complete the project. Mrs. Merrell asked if the contract will state that there are deadlines and the company will be held accountable if those deadlines are not met. Mr. DiLoreto responded those stipulations are included.

**Motion:** To approve awarding the bid to Mele & Mele & Sons

**Action:** Approve, **Moved by** Frank Kosir Jr., **Seconded by** David Ball

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5)

**Yes:** David Ball, Frank Arcuri, Frank Kosir Jr., Gary Stiegel Jr., Monica Merrell

#### **5.H. Proposal for the sale of current aerial fire apparatus to the Charleroi Fire Department**

The consensus of Council was to accept the offer from the Charleroi Fire Department for the purchase of the Peters Township Fire Truck for \$100,000. The Solicitor will help draft an agreement under which the Charleroi Fire Department will buy the aerial fire truck, as is, once the new fire truck has been delivered to the Township. The agreement will be brought back to Council for authorization.

**5.1. Settlement agreement concerning a property tax assessment appeal for property owned by Joseph Lipinski known as Carriage Hill Apartments**

**Motion:** To approve the settlement agreement

**Action:** Approve, **Moved by** Frank Kosir Jr., **Seconded by** David Ball

**Vote:** Motion passed (**summary:** Yes = 4, No = 1, Abstain = 0)

**Yes:** David Ball, Frank Kosir Jr., Gary Stiegel Jr., Monica Merrell

**No:** Frank Arcuri

**6. Payroll and Bills**

Mr. Arcuri asked why the check for the purchase of a CD is made payable to Peters Township Council. The Manager responded that CD's have always been purchased in the name of Peters Township Council.

Mrs. Merrell asked if the payment included this week to Cargill for salt in the amount of \$46,000 is the last one and does it meet the Township's minimum. The Manager replied he believes it is the final payment.

**Motion:** To pay the Payroll and Bills as follows: General Fund: Checks # 147204 – 147264; Payroll Account: Checks # V114952 – V115090; 44695 - 44697, contingent upon Mr. Arcuri having an opportunity to review the payroll and bills

**Action:** Approve, **Moved by** Frank Kosir Jr., **Seconded by** David Ball

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5)

**Yes:** David Ball, Frank Arcuri, Frank Kosir Jr., Gary Stiegel Jr., Monica Merrell

**7. Correspondence**

**7.A. Letter from Michael Mudry, Senior Project Manager for Traffic Planning and Design, dated March 30, 2017 to Paul Lauer concerning turning movements at the intersection of East McMurray and Anthony Farms Roads**

Although the additional signs and markings have made a difference there are still motorists making this illegal turn, however not enough to warrant further mitigation.

**7.B. Letter from John F. Zavatchan, Jr., Landman with EQT, dated March 21, 2017, notifying Peters Township of the location of a well pad in Nottingham Township on the Harbison Property**

**7.C. Letter from Ronald Clark, PennDOT Assistant District Engineer, dated March 30, 2017 concerning centerline on Church Hill Road**

Mrs. Merrell feels it's a disservice to the people who travel on Church Hill Road not to re-paint the center yellow line. Mr. Arcuri asked if reflectors can be placed on the road and Mrs. Merrell replied that it was stated in the letter that the Township can place them. The Manager also pointed out that point means PennDOT wants the Township to take over care and upkeep of Church Hill Road.

**8. Minutes – Submitted for review and discussion**

Mrs. Merrell mentioned that Peters Creek Sanitary Authority is still sparring with Clairton Municipal over the payments that have already been made.

## **9. Miscellaneous**

### **9.A. Upcoming Zoning Hearing Board Cases**

Mr. Ball would like Council to take a serious look at the issue of 'Granny Flats' before rejecting the idea. He believes they serve a serious purpose of life and deserve to be considered.

Mrs. Merrell asked how this would be controlled after the 'flat' is no longer needed. Mr. Zuk responded that conditions can be attached to the variance to address that. Mr. Ball stated that in other areas a contract is created that once the resident ceases to use the 'flat' it has to be removed within a certain period of time.

Mrs. Merrell asked if the neighbors had been contacted and Mr. Zuk responded that there has not been any negative feedback on this issue from any surrounding properties.

The zoning appeal for the OTB Bicycle Bar has been withdrawn.

### **9.B. Proposed development of Bruni Property**

The developer is asking if the Township would allow him to place the fill in such a way as to accommodate the construction of the road proposed to connect to Sugar Camp Road.

Mrs. Merrell asked if this property is considered Conservation and Mr. Zuk replied that it is Mixed Residential.

Mr. Arcuri inquired as to who would be paying for the road connecting the park to Sugar Camp. The Manager responded that the Township would be expected to pave the road leading from the top of the cul-de-sac to the park, which would be open to thru traffic.

Ms. Harmel has safety concerns with the connection of the park to Sugar Camp. Mr. Arcuri is proposing making the Township portion of the road one (1) way out of the park. The Manager responded that if it did become a problem, the road could be gated to thru-traffic. He recommends making it a two (2) way road and if it doesn't work for everyday access then it can be closed off and reserved for large event access and exit only.

Mrs. Merrell asked if there would be school buses going through the area. Mr. Zuk responded that buses may be going through the plan, but not through the park.

Mr. Arcuri asked if this plan is similar to the Plan that was just approved and Mr. Zuk said that it is comparable to the Sherwood Pond Plan of Lots. It will be a combination of single family homes and empty nester living.

### **9.C. Community Development Block Grant Project – ADA Accessibility**

Mrs. Merrell is in favor of this project in the hopes that the paths are wide enough to accommodate not only ADA accessibility but for spectators to stand as well. Mr. DiLoreto responded that the bids had already been opened and awarded through the Redevelopment Authority. The bids came in low so an alternate was also awarded. The project will consist of walkways from the parking lots to the bleachers, there will be at least a 10x10 area that is designated simply for ADA, and concrete to go under all of the bleacher areas. With the fact that the bid came in low the plan is to expand the area under the bleachers by two (2) feet.

North Strabane has offered to take over the administration of the DUI Task Force. Chief Grimes is asking Council if it has any objection to this for the upcoming year.

EQT has approached the Township about leasing land. The Solicitor will be talking to them about the terms. EQT now believes they have a plan for the Lutes site that would enable them to gain access to the drilling pad. Mr. Ball reminded all that the Lutes and Harbison drill sites are illegal sites.

The Township Manager asked how many Council members will be on the steering committee for the Peters Hill Park Master Plan. Mr. Arcuri feels two (2) members of Council should be on the committee. The Manager wants to be sure that it is representative of something that is going to be supported by a majority of Council. The residents would be represented by the Council members and the Parks & Rec Board members as they were voted for by the residents. The Manager feels a nine (9) member board to include four (4) members of the P&R board to be more representative because they have a particular interest in the park and that is what they have volunteered their service to do.

The Manager feels the Public Works Department has proven that they can mow the grounds of Peters Hill Park. They are in need of a mowing attachment to an existing tractor that will cost \$17,000. There is \$30,000 in the budget that was intended to contract out for the mowing. The consensus of Council was to proceed with the purchase. A budget amendment will come back to Council reflecting that.

Requests for proposals to fill in the pool were sent out on April 7, 2017 and those are expected back in the next week.

### **10. Next Agenda**

### **11. Adjournment**

Meeting adjourned at 8:54 PM

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Paul F. Lauer  
Township Manager

There was a brief executive session.