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REGULAR COUNCIL MEETING
Monday, February 26, 2018 ~ 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

1. Approval of Minutes

Motion: To approve the minutes of the Regular Council Meeting of February 12, 2018

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

2. Special Reports – There were no special reports

3. Audience Comments

Scott Langlois – 173 Bittersweet Circle – expressed concern over the recent school shooting. He would like to see more School Resource Officers.

4. Unfinished Business

4.A. Decision regarding a conditional use requirement for possible traffic improvements related to the proposed Waters Senior Living Development

The Manager stated that on February 12, 2018 the Peters Township Council took two (2) actions regarding the conditional use requirement for possible traffic improvements related to the proposed Waters Senior Living Development. These actions were:

1. To table the decision regarding the conditional use requirement for the possible traffic improvements related to the proposed Waters Senior Living Development
2. To authorize the Township Manager and Solicitor to negotiate, with the Waters Group, the settlement of the litigation within the framework

described by the Township Manager and the Waters Group proposal to settle the litigation, subject to Council approval

Utilizing the agreed upon framework, John Smith drafted a settlement agreement which has been executed by the Waters Group. This settlement includes an enhanced traffic impact fee of \$119,861. In addition, the Waters Group has agreed to waive their right to appeal the fee after a one (1) year period.

Mr. Arcuri referenced the portion of the agreement that states the Waters Group will preserve approximately 3,309 sq/ft of Right-of-Way (ROW). He asked if there's a drawing that will illustrate where the ROW will be. There is a drawing and it will be added as an exhibit to the agreement.

Mr. Arcuri is unsure of why Council has to accept the findings of the traffic study. If the Township is agreeing to include it in the Capital Improvement Program and enter into the agreement then why do the findings have to be accepted? The Manager responded that Condition #4 required the traffic study to be done. It is the finding of the study that is the basis for accepting the Enhanced Traffic Impact Fee. The Manager explained that the traffic study states that a turning lane is needed now and when construction for the development is complete, 23% of the turns made will be as a result of the project.

Mrs. Merrell believes the impact of traffic has been understated as far as the volume of traffic that will be generated by Waters Senior Living. She is not in favor of the agreement because she doesn't feel it has solved the problem.

Mr. Berquist feels the Waters Group has demonstrated a willingness to work with the Township.

Mr. Lewis was not in favor of the plan originally because he felt the scale of the project to be excessive. At this point in time, with the majority of Council approving the plan to move forward, he believes the agreement to be a reasonable accommodation. He is voting to approve, albeit reluctantly.

Motion: To accept the findings of the traffic study, that a left hand turning lane is required eventually, the installation of the turning lane should be installed in accordance with framework agreed upon by the Waters Group and the Township, further that an Appendix be attached to the Agreement with a plot plan showing exactly where the dedicated property should be and that the understanding be memorialized, and authorize the appropriate Township official to execute an agreement with the Waters Group

Action: Approve, **Moved by** David Ball, **Seconded by** James Berquist

Vote: Motion passed (**summary:** Yes = 4, No = 2, Abstain = 1)

Yes: David Ball, Gary Stiegel Jr., James Berquist, Robert Lewis

No: Frank Arcuri, Monica Merrell

Abstain: Frank Kosir Jr.

5. New Business

5.A. Authorize the appropriate Township official to sign an agreement with the Peters Township Baseball Association for the installation of a synthetic turf infield on Field #2 in Peterswood Park

Motion: To authorize the appropriate Township official to sign an agreement with the Peters Township Baseball Association for the installment of a synthetic turf infield on Field #2 in Peterswood Park

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

5.B. Request from Columbia Gas to work at night along East McMurray, West McMurray, and Route 19

PennDOT would prefer the completion of the work begun last year to take place at night.

Mr. Kosir asked representatives of the project if they can promise that no “jack-hammering” will occur between the hours of 12 AM – 6 AM. Jack-hammering may have to occur between those hours, however they will try to keep it at a minimum.

Mr. Arcuri asked how long the project will take and the representatives said they hope to begin mid-April and will conclude, most likely, in September.

Mrs. Merrell asked if lane closures will occur. The contractor said it shouldn’t effect McMurray Road, however Route 19 will be affected due to the loading and unloading of equipment.

Don Brown – 239 Marion Drive – wanted to add that he’d rather the work be performed at night instead of during the day.

Motion: To grant Columbia Gas’s request to work at night on E. McMurray and W. McMurray Roads and Route 19

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

5.C. Appointment of a member to the Peters Township Sanitary Authority

Motion: To appoint Robert Burns to the Peters Township Sanitary Authority

Action: Approve, **Moved by** Monica Merrell, **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

5.D. Appointment of an alternate member to the Zoning Hearing Board

Motion: To table the appointment of an alternate member to the Zoning Hearing Board

Action: Table, **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

5.E. Authorize the appropriate Township official to sign an easement designed to facilitate the extension of a sanitary sewer by the Peters Township Sanitary Authority

The Peters Township Sanitary Authority, at the request of the Township, expended approximately \$40,000 to extend the public sewer in Peterswood Park to accommodate the amphitheater project. In exchange for this work we agreed to provide the Authority an easement that will facilitate in a future extension of sewers to properties along Froebe Road and Meredith Drive.

Mr. Lewis asked if in the future we will be able to connect the recently constructed rest room building to this public sewer. The Township Manager responded that when the sewer is eventually constructed, it will come from a different direction.

Mr. Arcuri would like the Authority to consider putting lines in at Peters Lake Park so a restroom can be added.

Motion: To authorize the appropriate Township official to approve the easement

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

5.F. Authorize the appropriate Township official to sign an agreement with the Peters Township Sanitary Authority and the Peters Township School District to facilitate upgrades to the existing Stonehenge Trunk Sewer so as to provide the capacity necessary for the School District's high school and the Township's future facilities

The approximate cost of the project is \$700,000. The School District will be responsible for 57%, the Sanitary Authority for 33%, and the Township for 10%. The Sanitary Authority is in the process of applying for a grant to help with the costs.

Motion: To authorize the appropriate Township official to sign an agreement with the Peters Township Sanitary Authority and the Peters Township School District to facilitate upgrades to the existing Stonehenge Trunk Sewer so as to provide the capacity necessary for the School District's high school and the Township's future facilities subject to the School District's concurrence

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

5.G. Resolution amending the Peters Creek Regional Act 537 Plan accepting the clarification to the Basis of Design as prepared by the Clairton Municipal Authority

Mr. Ball does not feel that this is a solution, it is merely a “band aid”. It doesn’t resolve the problem of engineering a project properly. Mr. Ball feels the solution is, instead of spending money on a third party audit, to spend the money on a third party engineering firm to oversee what is occurring.

Mrs. Merrell agrees with Mr. Ball, however she feels the need to move forward.

Mr. Berquist agrees with Mr. Ball as well but also agrees with Mrs. Merrell that they have to keep moving forward.

Mr. Arcuri is in agreement with Mr. Ball in that Council is being held hostage by the Clairton Municipal Authority.

Mr. Berquist added that there is no easy solution and Council is in a bad position by being involved with the Clairton Municipal Authority.

Motion: To approve Resolution No. 02-04-18; A RESOLUTION OF THE HOME RULE MUNICIPALITY OF PETERS TOWNSHIP, WASHINGTON COUNTY, PENNSYLVANIA AMENDING PETERS CREEK REGIONAL ACT 537 PLAN, AS PREPARED BY THE CLAIRTON MUNICIPAL AUTHORITY, AS REQUIRED BY THE PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Action: Approve, **Moved by** James Berquist, **Seconded by** Monica Merrell

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

Yes: Gary Stiegel Jr., James Berquist, Monica Merrell, Robert Lewis

No: David Ball, Frank Arcuri, Frank Kosir Jr.

5.H. Request by the Peters Township School District for a departure from regulations governing the height of walls

At the January Planning Commission meeting, conditional approval was granted for the site plan for Peters Township High School. One condition placed upon the School District was to obtain, from Peters Township Council, a departure from Township regulations concerning the height of walls. Township regulations restrict retaining wall height to 6 ft.

There are two (2) locations contained on the Peters Township High School Site Plan where the proposed heights of retaining wall exceed six (6) feet.

Mr. Kosir would like curved guard rails at the ends of the walls to prevent pedestrians from accessing the 5 ft. space between the curb and the wall.

Motion: To grant the School District’s request for the departure from regulations governing the height of walls subject to the drawing specifications, subject to the installation of guard rails, the recommendations of Mr. Zemaitis, as well as the use of a decorative, segmented wall system.

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

Vote: Motion passed (**summary:** Yes = 5, No = 2, Abstain = 0)

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

No: Frank Arcuri, Robert Lewis

5.I. Resolution authorizing the destruction of Township records in accordance with the Township's municipal records manual

Motion: To approve Resolution No. 02-05-18; A RESOLUTION OF THE COUNCIL OF PETERS TOWNSHIP, WASHINGTON COUNTY, PENNSYLVANIA, AUTHORIZING THE APPROPRIATE OFFICIALS TO DISPOSE OF CERTAIN RECORDS IN A MANNER CONSISTENT WITH THE MUNICIPAL RECORDS MANUAL APPROVED ON DECEMBER 16, 2008

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.J. Authorize the appropriate Township official to sign an agreement with the Peters Township School District governing the collection of property taxes

Motion: To authorize the appropriate Township official to sign an agreement with the Peters Township School District governing the collection of property taxes

Action: Approve, **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

5.K. Approval of the Brookwood Village Final Plan, as shown on drawings prepared by Gibson-Thomas Engineering Company, dated January 9, 2018 for Brookwood Village LLC.

The final plan was reviewed by the Planning Commission on January 18, 2018 and Council approval was recommended subject to seven (7) conditions.

Mr. Zuk added that all new residential neighborhoods are required to have clustered mailboxes. There will be no individual mailboxes in new residential developments.

Motion: To approve the Brookwood Village Final Plan, as shown on drawings prepared by Gibson-Thomas Engineering Company, dated January 9, 2018 for Brookwood Village LLC subject to the conditions that were previously proposed by the Planning Commission that are still unfulfilled and incomplete

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.L. Approval of Brookwood Place Final Plan as shown on drawings prepared by Wind

Ridge Engineering Co. dated January 23, 2018 for Donegal Land Partners, LLC

The final plan was reviewed by the Planning Commission on January 18, 2018 and Council approval was recommended subject to six (6) conditions.

Motion: To approve the final plan for Brookwood Place subject to the conditions set forth by the Planning Commission

Action: Approve, **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

6. Payroll and Bills

Motion: To pay the Payroll and Bills as follows: General Fund: Checks # 149311 – 149376; Payroll Account: Checks # V118127 – V118261; 44781-44782

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

7. Correspondence

7.A. Letter from Ron Sicchitano, Washington County Department of Public Safety to Peters Township Council dated January 30, 2018

8. Reports – Submitted for review and discussion

9. Miscellaneous

9.A. Garbage collection and disposal bid specifications – Friday Collection

There is a recurring issue for collection of garbage for holiday weeks when the Friday collection is pushed to Saturday. There are a high number of missed pick-ups, broken down trucks, call offs, etc. and no way for the residents to resolve the problem until Monday when the Township is open for business. Upper St. Clair had a similar problem and they instituted a four (4) day collection. Friday would be an open day so as to accommodate a holiday week and collection is pushed back one (1) day. Council supports going to 4 day a week collection.

9.B. Dead trees along Valley Brook Road endangering utility lines and motorists

Verizon and the property owner have been notified and they have ten (10) days to comply. If they don't, they will be cited. A complaint has been filed with the PUC as well.

9.C. Request to use Peters Lake Park as a setting for a movie

Netflix is requesting to use the lake for one (1) day with 12 foot boat for a series they are filming.

Motion: To grant the request to use Peters Lake Park as a setting for a movie for one (1) day

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

9.D. Request for meeting with the Personnel Committee

Dan Coyle has requested a meeting.

Aaron Brown, a Scout with Troop #1017 Prosperity, observed the meeting and commended Council on their decisions. He also asked Council how it sees the Township moving forward through the remainder of 2018. Mr. Lewis feels this is a year for great opportunity as the idea of the new park is moving forward. It will also be an opportunity for community involvement and input.

10. Next Agenda

Mrs. Merrell would like an update on the plans for the firehouse improvements.

Council would like to have a discussion with the School District regarding the safety concerns that were mentioned by Scott Langlois during Audience Comments.

Mr. Arcuri has received complaints regarding the 'Fire Lane' at Donaldson's Crossroads, particularly at Giant Eagle. The Township Manager will ask Chief Grimes to look into providing enforcement.

Mr. Lewis asked if the recent issues with flooding will change the Capital Projects plan for the year. Mr. Zemaitis responded that the plans have not been changed significantly. A few smaller projects are being planned but they will not affect the Capital Projects plan.

11. Adjournment

The meeting was adjourned at 9:00 PM.

Paul F. Lauer
Township Manager

There was an executive session