

**MINUTES  
REGULAR MEETING  
October 5, 2015**

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**MARSHALL TOWNSHIP BOARD OF SUPERVISORS  
525 PLEASANT HILL ROAD  
WEXFORD, PA 15090**

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The following persons were present:

SUPERVISORS: Thomas Madigan, Chairman  
Philip Troy, Vice Chairman (Absent)  
Jason Bragunier  
Anthony (Jack) Candek  
Bob Edwards

MANAGER: Neil D. McFadden

ENGINEER: Art Gazdik, P.E.

SOLICITOR: Larry Baumiller, BCCZ

TWP. SECRETARY: Sheryl Snyder

OTHERS: 0 Others

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1. Call to Order - The meeting was called to order at 7:20 p.m.
  2. Pledge of Allegiance - All rose to recite the Pledge of Allegiance.
  3. Public Comment – None.
  4. Consent Agenda
    - 4a. Minutes

Regular Meeting (September 14, 2015) – No corrections or additions were made.  
Agenda Meeting (September 28, 2015) – No corrections or additions were made.
    - 4b. Expenditures

Month of September 2015 – No corrections or additions were made.
    - 4c. Announcements – None.
    - 4d. Reports

Police - Report forthcoming.  
Police Board Liaison - Mr. Candek stated that in regards to the police budget, Marshall Township's portion of the allocation will be down 1.5% from this year.  
Firemen - Written report submitted.  
Fire Company Liaison - Nothing to report at this time.

Public Works Director - Written report submitted.

Zoning Officer - Written report submitted.

Building Inspector, O.E.M. - Written report submitted.

Recreation Director - Written report submitted.

Recreation Liaison - Mr. Bragunier questioned the status on the meeting that was hosted a couple of weeks ago for Altmeyer Park. Mr. McFadden responded there were approximately 30 people in attendance; mainly nearby residents. Ms. Jerry addressed successfully the issue of people wanting a fence. To her understanding, at the end of the meeting, that was off the table. Mr. McFadden additionally noted final engineering is pending on the entrance. Mr. Gazdik recommended an architect be hired to assess the structural integrity of the barn and the viability of expansion of the barn as a next step.

Northland Library Board - Written report submitted. Mr. McFadden indicated there is a proposed approval of the Library's budget as an action item later in the agenda.

MTMSA Liaison - Nothing to report at this time.

COG Liaison - Nothing to report at this time.

ACATO - Nothing to report at this time.

Police Pension Board - Nothing to report at this time.

#### 4e. Manager's Report

- Thornhill Road, Right Turn Lane Installation. Status – Mr. McFadden indicated he is pleased to report that the construction of the turn lane is complete. The project now has an October 22nd scheduled opening.
- 2016 Budget Preparation. Status – Mr. McFadden stated he has been working with Mrs. Kinzler on estimating 4th quarter - revenues and expenditures. A preliminary budget will be presented to the Board at this month's agenda meeting.
- Cable Franchise Renewal. Status – Mr. McFadden mentioned the required hearing was conducted at Richland. It was jointly advertised as a joint municipal meeting. Results of that renewal should be available by November.
- Requested Executive Session - Mr. McFadden requested a brief Executive Session at the end of this meeting to discuss one personnel matter.

Mr. Madigan recommended a motion to approve all items on the Consent Agenda as submitted/amended. Mr. Edwards moved to approve, seconded by Mr. Bragunier; vote in favor was unanimous [4-0].

#### 5. Engineer's Report

- Bond Status
  - Venango Trails, Phase II-A Performance LOC Reduction Request No. 3 – Mr. Gazdik indicated the requested reduction is primarily for the storm sewer completion. The requested reduction amount is \$103,853.25, which will leave a remaining balance of \$84,231.98 that is primarily for the wearing course to be installed and for the maintenance securities that are in place. The release would be contingent upon placement of a separate maintenance security in the amount of \$11,486.18 and

standard contingency for payment of all Township fees related to inspection and/or legal fees reimbursed. Mr. Madigan made a motion to approve the reduction in accordance with Mr. Gazdik's memo dated October 2, 2015 and subject to the conditions therein. Mr. Bragunier moved to approve, seconded by Mr. Candek; vote in favor was unanimous [4-0].

- Venango Trails, Phase II-B Performance LOC Reduction Request No. 3 – Mr. Gazdik indicated this reduction request is also related primarily for the storm sewer completion. The storm sewers have been inspected and were built according to plan specifications. This reduction request is in the amount of \$128,259.50, leaving a remaining balance of \$124,193.44 for the wearing course for that area. This release is also conditioned upon a placement of a maintenance security in the amount of \$16,935.47 for the storm sewer facilities. Mr. Madigan made a motion to release the reduction in the Phase II-B in accordance with the Engineer's memo dated October 2, 2015 subject to the conditions therein. Mr. Bragunier moved to approve, seconded by Mr. Candek; vote in favor was unanimous [4-0].
- Park at Marshall, Performance LOC Reduction Request No. 1 – Mr. Gazdik provided the Board with a memo dated October 5, 2015 for this reduction request. This reduction request amount is for \$568,660.04, which would leave a remaining balance of \$685,288.15. It is for a significant amount of the roadway work and storm sewer work that has been completed. The E&S control facilities are in place and the grading has largely been completed. Mr. Gazdik certified that all the work has been completed as per the plans and is satisfactory. Lengthy discussion took place regarding the tie in from Northgate Drive to Route 19 being completed. A few options were discussed to ensure the connection is made. Mr. Madigan made a motion to approve the requested reduction No. 1 for Park at Marshall pursuant to Mr. Gazdik's memo of October 5, 2015 subject to the conditions therein. Mr. Edwards moved to approve, seconded by Mr. Bragunier; vote in favor was unanimous [4-0]
- 2015 Road Project(s). Status – Mr. Gazdik indicated that all of the work has been completed and the Township received an invoice today. There will be some additional work completed in the park under the park budget that is in the bid. This will be for the parking lot adjacent to Knob Barn, Fry Barn and the roadway up to the Overlook Shelter. They will also perform some spot repair of Innovation Drive where the wearing course had slid.

6. Legal Matters – None.

7. Unfinished Business

7a. Possible Amendment to the Non-Uniformed Employees Pension Plan. Status – Mr. McFadden indicated this item remains unfinished. Chris Anderson of Mockenhaupt has completed a draft and that draft is on the desk of the actuary for final review. This report should be received by week's end.

## PLANS

8a. 13th Amendment to The Venango Trails Plan of Lots; (Fast Track Subdivision) SUB-FIN 15-17; Osona Lane (Lots 227 - 229), plans dated 8/31/15; deadline: 12/2/15 – Mr.

McFadden stated this is an amendment to the Venango Trails plan. It is a subdivision along the party walls. Mr. Madigan made a motion to approve. Mr. Bragunier moved to approve, seconded by Mr. Candek; vote in favor was unanimous [4-0].

## 8. New Business

9a. Ordinance Prohibiting the Feeding of Deer in Marshall Township. Consideration - Mr.

McFadden stated this Ordinance was advertised for consideration this evening. Mr. Madigan questioned what the penalties were. Mr. McFadden responded the penalties are, which sites the section in our existing ordinance on animal control. The fines are up to \$1,000 (at the discretion of the magistrate) and jail time is not to exceed 30-days. Mr. Candek questioned if the first violation is a warning. Mr. McFadden responded yes, a notification is sent. Fines would incur only if a matter would appear before a magistrate. Mr. Madigan made a motion to adopt Ordinance No. 438 prohibiting the feeding of deer and amending the Code of Ordinances. Mr. Candek moved to approve, seconded by Mr. Bragunier; vote in favor was unanimous [4-0].

9b. Northland Library Proposed Budget. Motion to Approve – Mr. McFadden indicated Northland Library's Proposed Budget was received. If no action is taken within 60 days, it is deemed approved. Mr. McFadden noted for the record that a memo has been provided from the Township's Library Liaison recommending approval. Mr. Madigan made a motion to approve the Northland Library budget. Mr. Candek moved to approve, seconded by Mr. Bragunier; vote in favor was unanimous [4-0].

9c. Resolution to Accept Stormwater Control Facilities in Phase II-A of Venango Trails PRD. Possible Motion – Mr. McFadden indicated items 9c and 9d are in follow-up to Mr. Gazdik's earlier discussion. Mr. Gazdik stated as discussed, the solicitor has prepared the Deed of Dedication, Resolution for dedication and there is an Easement, which is a temporary easement that will expire when the roads and rights-of-ways are adopted in the future. The conditions relative to the acceptance are per the Developers Agreement that there is the maintenance security requirement. Mr. Gazdik certified that all those improvements have been completed as per plans and specifications and they have been approved and then re-inspected. A lien, waivers and payment bonds for Kozik Brothers, Inc. (the contractor that installed the facilities) has been provided. Another condition is that the finance department will determine, prior to the Deed being filed, that all of the invoices have been paid. The as-built plans have been provided and reviewed and the other permits required by other entities are in place. In this case, the developer is required to provide an Easement so the Township can maintain these facilities because currently there are no public right-aways or a permanent stormwater easement. This is a temporary easement that will remain in place until the roadways are adopted. Mr. Madigan made a motion to approve Resolution No. 885 accepting the dedication of certain stormwater management facilities in Phase IIA of Venango Trails planned

residential development in accordance with Mr. Gazdik's memo dated October 2, 2015 and subject to the conditions therein. Mr. Bragunier moved to approve, seconded by Mr. Edwards; vote in favor was unanimous [4-0].

9d. Resolution to Accept Stormwater Control Facilities in Phase II-B of Venango Trails PRD. Possible Motion. – Mr. Madigan made a motion to approve Resolution No. 886 accepting the dedication of certain stormwater management facilities in Phase IIB within the Venango Trails planned residential development in accordance with Mr. Gazdik's memo dated October 2, 2015 and subject to the conditions therein. Mr. Bragunier moved to approve, seconded by Mr. Edwards; vote in favor was unanimous [4-0].

9. Correspondence – None.

10. Seminars – None.

12. Executive Session – Board entered into executive session at 8:25 p.m. to discuss one personnel matter. Upon return to public session, no action was taken.

ADJOURN

Since there was no further business to come before the Board, at 8:45 p.m., the meeting adjourned. Motion by Mr. Bragunier, seconded by Mr. Candek; vote in favor was unanimous [4-0].

Respectfully submitted,

Sheryl Snyder