

MINUTES
REGULAR MEETING
February 2, 2015

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

The following persons were present:

SUPERVISORS: Thomas Madigan, Chairman (Absent)
Philip Troy, Vice Chairman (Acting Chairman)
Jason Bragunier
Richard Scavo (Absent)
Anthony (Jack) Candek

MANAGER: Neil D. McFadden
ENGINEER: Art Gazdik, P.E.
PLANNING DIR: Nicole Zimsky, AICP
SOLICITOR: Larry Baumiller, BCCZ
TWP. SECRETARY: Sheryl Snyder

OTHERS: 6 Others

1. Call to Order - The meeting was called to order at 7:16 p.m.
2. Pledge of Allegiance - All rose to recite the Pledge of Allegiance.
3. Public Comment
Mr. Francios Bitz approached the Board and indicated he is interested in making a donation to one of the parks in Mr. Todd Chambers name. He would like something "green" with some kind of solar or environmental kiosk or even donate money for a trail in Mr. Chambers name. Mr. Troy suggested Mr. Bitz contact the Recreation Director and thanked Mr. Bitz for considering Marshall and it is appreciated. Mr. Bitz then voiced his issues and concerns with the current policy in place regarding posting of the meeting minutes after they are approved by the respective body. Short discussion took place regarding this policy. Mr. Troy suggested postponing this issue to the next regular scheduled meeting.
4. Consent Agenda
 - 4a. Minutes
Reorganization Meeting (January 5, 2015) – Mr. McFadden made one clarification to the reorganization minutes. During the reorganization meeting, the appointment to the Library Board moved to appoint Linda McFadden to the Northland Library Board. The

minutes should reflect that Mr. Bragunier resigned from the Board and his 5-year term extended through the end of 2015. So, actually Mrs. McFadden is filling the vacated term of Mr. Bragunier thru 2015. Mr. Bragunier stated he submitted his resignation on January 5, 2015. Mr. Troy made a motion to approve the minutes for the reorganization and regular meeting subject to the comment of Mr. McFadden regarding the appointment of Mrs. McFadden to the Library Board, seconded by Mr. Bragunier; vote in favor was unanimous [3-0].

Regular Meeting (January 5, 2015) – No corrections or additions were made.

Agenda Meeting (January 26, 2015) – No corrections or additions were made.

4b. Expenditures

Month of January 2015 – No corrections or additions were made.

4c. Announcements

None.

4d. Reports

Police – Report forthcoming.

Police Board Liaison – Mr. Candek mentioned the Board established a bargaining committee for the new contract discussion and approved Officer Pampiks probationary status to full-time status retroactive to January 6, 2015. The Chief, Captain and one Board member will be attending a conference and the subjects are: updates on police labor law, contract negotiations and municipal pensions, which will be valuable considering the upcoming contract negotiations.

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 – Written report submitted.

O.E.M. – Written report submitted.

Recreation Director – Written report submitted.

Recreation Liaison – Mr. Troy indicated on Thursday, January 29th, a kick-off meeting for Altmyer Park was held. Attendance was good with approximately 40-50 people. The purpose of the meeting was to get together with the consultant who is putting together a conceptual plan for Altmyer Park and they were soliciting input on what kind of things we would like to see there. The meeting was very open and very conducive to public input and it was a good meeting. It went very well.

Northland Library Board – Nothing to report at this time.

MTMSA Liaison – Mr. Candek stated negotiations are still ongoing with Cranberry. Mr. Troy indicated there was a rate increase that was approved based upon the anticipated costs of the expansion at Cranberry.

COG Liaison – Mr. Troy stated there was a meeting earlier in January and the only point of any interest to Marshall was that there were opportunities discussed for possible grants that could be used towards the new Altmyer Park perhaps if applied for.

McCandless Industrial Development Authority – Nothing to report at this time.

ACATO – Nothing to report at this time.

Police Pension Board – Nothing to report.

Mr. Troy recommended a motion to approve all items on the Consent Agenda as submitted/amended. Mr. Bragunier moved to approved, seconded by Mr. Candek; vote in favor was unanimous [3-0].

5. Manager's Report

5a. Request for Proposals - Investment Management Services for the Non-Uniformed Employee Pension Plan Has Been Published. Responses Due 2/6/2015 – Mr. McFadden indicated this item will be discussed in detail at the February Agenda meeting.

5b. Revised Policies and Procedures Manual. Meeting with Counsel Held 1/27/2015. Status Report - Mr. McFadden mentioned he met with Steve Korbel of BCCZ on January 27th and did an extensive review of the draft manual to date. A redraft will be available by the end of the month.

5c. Auditor's Organization Meeting - Mr. McFadden stated that the Auditors Organization Meeting took place on January 13, 2015.

5d. MTMSA Rate Increase - Mr. McFadden reiterated that the quarterly user base fee for the Marshall Authority will go to \$125 per quarter. That is fairly competitive. McCandless Authority is currently \$108, Cranberry \$138 and Economy \$195. MTMSA is in the low/middle of the pack as far as comparative rates and the user fee per gallon will go to \$4.73 for 1,000 gallons of water consumed, which is an increase of \$.50 per 1,000 gallons of use.

6. Engineer's Report

- Bond Status – Mr. Gazdik indicated there is nothing to report. No requests for bond reductions were received.

7. Legal Matters

7a. Atlas Neon Sign, Warrendale Bakerstown Road; Code Enforcement Matter – Mr. Baumiller indicated the Magistrate fined the property owner \$1,000. By the date of the hearing, the property owner actually had remediated the issues. But, because he never appealed the Notice of Violation, its final. A \$1,000 penalty is to be paid to the Township.

7b. 130 Wheatland Road, Code Enforcement Matter – Mr. Baumiller stated this was an un-appealed violation, so the Magistrate awarded \$1,000 to the Township. In this case, most of the items that the owner was cited for have not been remediated. It is a complicated matter, but we are working towards a resolution.

8. Unfinished Business

8a. Route 910/Highpoint Drive Intersection; PennDOT Traffic Safety Study. Update – Mr. McFadden indicated nothing formal has been received by PennDOT on the requested study. PennDOT indicated a time frame of six to eight weeks to complete the study and that was approximately three weeks ago.

9. PLANS

9a. RIDC Parcel 25 & 62 Consolidation; SUB-FIN14-28; Thorn Hill Road, plans dated 12/15/2014; deadline: 4/06/2015 – Ms. Zimsky indicated this plan involves the consolidation of Parcels 25 and 62 in the Thorn Hill Industrial Park. This lot consolidation will facilitate the Paragon Food Land Development Plans. The property, zoned Planned Industrial Park (PIP), is located on Thorn Hill Road. This plan was before the Planning Commission on January 6, 2015 and they voted unanimously to recommend approval [6-0]. Ms. Zimsky and Mr. Gazdik prepared a joint memo for this plan. Mr. Troy recommended a motion to approve the plan conditioned upon completion of comments in Ms. Zimsky's memo of 1/29/15. Mr. Bragunier moved to approve, seconded by Mr. Candek; vote in favor was unanimous [3-0].

9b. Paragon Food; SP(LD)14-07; Thorn Hill Rd; plans dated 12/16/2014; deadline: 4/06/2015 - Ms. Zimsky indicated this applicant is proposing to construct an 86,226 SF building on undeveloped property within Thorn Hill Industrial Park. The building will house 14,148 SF of office space and 72,078 SF of distribution/warehouse space. Both office and distribution/warehouse are permitted uses within the Planned Industrial Park (PIP) District in which this property is located. This plan was before the Planning Commission on January 6, 2015 and they voted unanimously [6-0] to recommend approval. After a short discussion regarding traffic impact with trucks entering and leaving the facility, Ms. Zimsky indicated this plan does not meet the requirements for a traffic impact study. An impact fee will be due at the time of building permit. Mr. Troy recommended a motion to approve the plan conditioned upon Ms. Zimsky's comments in her January 29, 2015 memo. Mr. Candek moved to approve, seconded by Mr. Bragunier; vote in favor was unanimous [3-0].

9c. Village at Marshall Ridge - Lot 10 Revised; SUB-FIN15-01; Carver Drive, plans dated 1/06/2015; deadline: 6/01/2015 – Ms. Zimsky stated this is a fast-track approval. This plan is a subdivision along the party walls of the Ryan Townhouses being constructed on Lot 10 (new lots 712, 714 and 716) of the Village at Marshall Ridge Development. Ms. Zimsky indicated there are no comments other than the standard solicitor comments. Ms. Zimsky and Mr. Gazdik prepared a joint memo dated January 29, 2015. Mr. Troy made a motion to approve the plan conditioned in Ms. Zimsky's memo dated January 29, 2015. Mr. Candek moved to approve, seconded by Mr. Bragunier; vote in favor was unanimous [3-0].

10. New Business

10a. An Ordinance Amending Chapter 124 of the Marshall Township Code of Ordinances; Park and Recreation Areas, to Eliminate Language Restricting Possession or Carry of Firearms. Consideration – Mr. McFadden indicated this ordinance is advertised pursuant to a letter the Township received from a group advising that as a municipality the Township had no rights to regulate the possession and carry of firearms. This matter was referred to counsel. Counsel provided a memo dated January 16, 2015 advising where the municipality stood legally and recommended changes to the ordinance. The ordinance was advertised and Mr. Baumiller has amended the ordinance slightly as to form, not as to substance. Mr. Baumiller advised the Board of those changes. Mr. Bragunier questioned if this ordinance satisfies the letter the Township received. Mr. Baumiller responded he believes that it does. Mr. Troy made a motion to approve Ordinance 433 amending

Chapter 124 of the Marshall Township Code of Ordinance; Park and Recreation Areas, to Eliminate Language Restricting Possession or Carry of Firearms. Mr. Bragunier moved to approve, seconded by Mr. Candek; vote in favor was unanimous [3-0].

11. Correspondence

11a. Correspondence from Bill Campbell, MTMSA to Timothy Schutzman, Cranberry Township Re: Water Quality Permit for Expanded Treatment Plant. – Mr. McFadden indicated Mr. Campbell has had partial response to this correspondence to date.

11.b. Correspondence from Borough of Economy, Randy Kunkle, Manager Re: Multi-Municipal Comprehensive Plan – Mr. McFadden stated this correspondence is advising that Economy is considering an update of their Comprehensive Plan and they are considering a multi-municipal comprehensive plan and invited the interest of Marshall Township. Mr. McFadden indicated he discussed this with Ms. Zimsky and there is not much common ground with Economy in terms of they are in a different county, the Township doesn't have any joint projects or interests with Economy at the present time, and saw no value in a multi-municipal comprehensive plan including Marshall Township. Their efforts are applauded to include their Beaver County neighbors.

11.c. Correspondence from Allegheny County Health Department Re: Revised "Open Burning" Regulations – Mr. McFadden stated this correspondence was copied to Phil Macmillan as Fire Marshal.

12. Seminars

None.

13. ADJOURN

Since there was no further business to come before the Board, at 8:14 p.m., the meeting adjourned. Motion by Mr. Bragunier, seconded by Mr. Candek; vote in favor was unanimous [3-0].

Respectfully submitted,

Sheryl Snyder