

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

**Minutes
October 10, 2016 7:00 PM**

The following persons were present:

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

MANAGER: Neil D. McFadden

ENGINEER: Art Gazdik, P.E.

SOLICITOR: Blaine Lucas, BCCZ

SECRETARY: Sandra Bauer

OTHER(S): Francois Bitz

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1. Call to Order - The meeting was called to order at 7:09 p.m.
 2. Pledge of Allegiance - All rose to recite the Pledge of Allegiance.
 3. Public Comment – Francois Bitz noted seeing very few new developments lately. As a property owner on Rt. 910, he believes that heavy traffic warrants a four-way intersection at Route 910 and Mingo Road. In addition, he would like the zoning in this area to be changed to commercial and suggested a service road with a single entrance/exit be implemented behind commercial businesses.
 4. Consent Agenda
 - 4a. Minutes

Regular Meeting (September 5, 2016) - No corrections or additions were made.

Agenda Meeting (September 26, 2016)- Mr. Troy noted that on page 78 under “Consideration” at the top of the page it states, “Mr. Troy made a motion.” He did not make the motion; he simply asked for a motion.
 - 4b. Expenditures

Month of August 2016 - No corrections or additions were made.
 - 4c. Announcements – Mr. McFadden noted that the PA Turnpike Commission will hold a Public Officials Briefing at the Marshall Township Municipal Building on Thursday, October 27, 2016 at 2:00 p.m. The purpose of this briefing is to discuss the upcoming turnpike improvement from mile post 28 to mile post 31.

4d. Reports

Police – Report forthcoming.

Police Board Liaison – Mr. Bragunier stated that they passed the 2017 budget and had an interview process to create a hiring list for police officers.

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. Edwards stated that the Altmeyer tree bid had been corrected, made more specific and was resubmitted. It has an October 24, 2016 opening at 3 p.m.

Northland Library Board – Written report submitted.

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

- Brush Creek Road Right Turn Lane - Status Report. – Mr. McFadden stated that the Contractor is on-site and the project is moving forward. There was one change order due to a need for additional necessary tree removal. Traffic has been an issue due to the removal of detector loops that time the intersection. The default mode has been adjusted slightly and has made some improvement. The light will eventually be replaced and radar detectors will be implemented.
- Report on September 21 MS4 Audit by the Department of Environmental Protection.- A written report has not been received as of yet, but by all indications, the written report will show that the audit went extremely well.
- Financial and Administrative Support Agreement between MTVFD and Marshall Township. Status. - Mr. McFadden made a request that the Board consider moving to approve the agreement and authorize the Chairman's signature. The agreement was authored by Mr. Lucas, the Township Solicitor. It has been tentatively approved by the MTVFD Board, subject to review of their in-house counsel.
- Recycling Event.- On Sunday, October 9, 2016, the Township hosted a household hazardous waste collection event at the Public Works building. It was extremely successful and a large volume of materials were collected. The Township will incur the cost of proper disposal.
- 2017 Budget.- Staff has responded to a budget request memo with the third quarter closure. Fourth quarter estimation is under way. Mr. McFadden would like to discuss a proposal given by the Public Works Department regarding wage and benefits on October 24, 2016.

Mr. Madigan requested a motion to approve all items on the Consent Agenda as submitted/amended.

Mr. Troy moved to approve, seconded by Mr. Edwards; vote in favor was unanimous [4-0].

OFF AGENDA ITEM

The Board acknowledged Mr. McFadden for 30 years of outstanding service and dedication to Marshall Township as the Township Manager.

5. Engineer's Report

- Bond Status
 - Keystone Summit; Request for Final Reduction. – Mr. Gazdik noted that previously, the parking lot had been completed with the exception of several minor outstanding items. The Township held \$14,000 until these items were completed. Since all items have been addressed, he recommends release of the remaining \$14,000 as per the memo, conditioned upon the standards statement relative to Township fees being verified. Mr. Madigan requested a motion to approve final security reduction of the bond pursuant to the Engineer's memo dated October 7, 2016. Mr. Troy moved to approve; seconded by Mr. Bragunier; vote in favor was unanimous [4-0].
 - Guardian Storage; Request for Reduction No. 2 – The reduction request is in the amount of \$10,700 for improvements related to the additional building added, leaving a remaining balance of \$19,550. The balance is for a sidewalk along the frontage and landscaping work. Mr. Gazdik recommends approval based upon his memo of October 6, 2016. Mr. Madigan requested a motion to approve release of the bond pursuant to the Engineer's memo dated October 6, 2016. Mr. Troy moved to approve; seconded by Mr. Edwards; vote in favor was unanimous [4-0].
- 2016 Road Project(s) Update
 - Northgate Drive Project. Status. – The project is still underway, but close to completion. It is anticipated that the binder will be installed by the end of the week. The curb has been completed, but the sidewalk is ongoing. Mr. Troy inquired as to the status of the bridge project. Mr. Gazdik explained that there were five bidders, however no one put in a bid for the project. This project will move into next year's budget and will be re-advertised for bids.

6. Legal Matters – Mr. Lucas initiated discussion regarding a potential recreation facility on a North Allegheny School District (NASD) campus. He noted that discussion has been ongoing between the District and Township staff representatives. Recreation facilities of this magnitude are not permitted in the SR district at this time. The Township has been asked to draft an ordinance that would authorize that use on the campus, subject to a number of limitations. It has been drafted and distributed to members of the Board. If the Board chooses to move it forward, it will be transmitted to Allegheny County Economic Development, as well as the Township Planning Commission. Mr. Madigan questioned the ownership of the land. Mr. Edwards voiced two concerns: one, he would like to see more from the School District and two, he would also like to give the proposition public exposure. The ordinance would be the first step. If it were approved by the County, sent through the Planning Commission and approved by the Board, only then would the ordinance be in place. At that point, the proposed facility would qualify as a Conditional Use and would require an application and review by the Board. Mr. Madigan would like to have more information from the District such as a revised concept plan and resident access information. Mr. Madigan requested that Mr. McFadden reach out to NASD and gather more information before any action is taken by the Board. Mr. Bragunier shared his concern regarding the timeframe of the project. The Board committed to readdressing the issue on October 24, 2016. Francois Bitz approached the podium with a comment regarding land along Spang Road that is owned by NASD.

7. Unfinished Business

7a. Altmyer Park. Discussion of Additional Options as prepared by EPM Architects. - Mr. Madigan stated that there seems to be a growing consensus among Board members that given the size, location and renovation costs, the Board wanted to take a closer look at some lower impact and cost alternatives for the property. As a result, EPM was contacted to prepare some additional analysis. Mr. McFadden stated EPM had prepared options A, B, and C for the Board's earlier consideration. Those options involved renovation of the barn to either a seasonal facility, a year-round facility or a year-round facility with addition. Mr. McFadden since contacted Mark Eddleman at the Board's direction and Mr. Eddleman developed options D and E. Option D would leave the barn in as-is condition and would provide for addition of a accessible restroom facility with access from the exterior only, but would not have internal access. In Option E, he left the barn in as-is condition, but he provided access to the bathroom from both the exterior and interior of the barn. In providing access to the bathroom from the inside then he had to do some code issues egress lighting, adding a door, and some minimal improvements to the barn itself to accommodate access to that same bathroom facility but from the inside. Option D had an inclusive price of \$181,000. Option E had an all inclusive price of \$213,000. Mr. McFadden noted that he went back to EPM's original cost estimates for re-stabilizing the barn only with the new barn roof, the battens on the outside, the exterior paint, and there is some replacement of allowance for roof sheeting replacement as well. Original cost for these items totals \$136,900. So, that would be added to Option D or E to stabilize the barn structure so the roof doesn't leak and the wind does not blow through. The Board requested Mr. Gazdik to explore an alternative concept. Mr. McFadden stated he would meet with Mark to discuss a concept.

8. PLANS

8a. Fast Track- Venango Trails Revised Phase 4; SUB-FIN 16-19 [Subdivision]; plans dated 11/11/2014; plans received by the Township on 8/22/2016; deadline: 11/20/16 - Mr. McFadden requested a motion to table. Mr. Madigan made a motion to table. Mr. Troy moved to approve, seconded by Mr. Bragunier; vote in favor was unanimous [4-0].

8b. Fast Track- Village at Marshall Ridge, Lot 25 Revised; SUB-FIN 16-20 [Subdivision]; Bell Drive, plans dated 9/8/2016; deadline; 12/8/16 - The proposed plan is a subdivision along the party walls of the Ryan Townhouses being constructed on Lot 25 (New Lots 928, 930, 932 and 934). Mr. Madigan made a motion to approve subject to conditions in Ms. Zimsky and Mr. Gazdik's memo dated October 6, 2016. Mr. Edwards moved to approve, seconded by Mr. Bragunier; vote in favor was unanimous [4-0].

9. New Business

9a. Amendment to Personnel Policy; Department of Labor Overtime Regulations.

Resolution - Mr. McFadden stated this is a suggested amendment to our personnel policy to comply with the new federal ruling having to do with full time salary employees who could be classified as supervisory or administrative. This currently applies to one employee. We have to reflect the fact that that said employee would be eligible for overtime financial compensation. Our regulations say that that employee is not eligible for overtime financial compensation. That is the way it used to read. Now, we note that except as mandated under the Department of Labor Regulations effective 12/1/2016. So, this will require monitoring this employees timesheet, as far as documenting 40 hours and anything over 40 hours. Mr. Madigan questioned who is going to monitor that. Mr. McFadden responded he will. After a short discussion regarding the future scheduling of this employee, Mr. Madigan made a motion to adopt Resolution No. 897 adopting Personnel Rules and Regulations. Mr. Troy moved to approve, seconded by Mr. Edwards; vote in favor was unanimous [4-0].

9b. Proposed 2017 Northland Public Library Authority Budget - Mr. McFadden stated the Township received the proposed budget for Northland. The funding formula uses factors of population, assessed value and circulation. Marshall made the wheel spin on all three of those, so that our increase is about 12%. In terms of dollars, it is approximately a \$20,000.00 increase from last year. With conscientious budgeting on the part of the Library using their formula, our circulation increased, our population increased dramatically, our assessed valuation increased dramatically. It takes us from a \$158,000.00 contribution last year to \$178,000 in 2017. Mr. McFadden indicated by signing the Acceptance Letter, we are acknowledging receipt and signing off on their proposal. Mr. Madigan made a motion to approve Mr. McFadden's signature on the acknowledgement of the budget for the Library. Mr. Troy moved to approve, seconded by Mr. Edwards; vote in favor was unanimous [4-0].

9c. Asset Transfer Agreement between the Marshall Township Volunteer Fire Company and Marshall Township - Mr. McFadden indicated this is the first of two agreements. This is the simpler of the two. This one lifts language that exists in the bylaws of the fire company presently and transfers it to a two-party agreement between the fire company and the township. Mr. Madigan made a motion to approve the Asset Transfer Agreement. Mr. Edwards moved to approve, seconded by Mr. Troy; vote in favor was unanimous [4-0].

Mr. McFadden stated that the second part is the Financial Management Agreement and that one has been to the fire company and has been approved by their board, conditioned upon to by their legal counsel and then it will be proposed to their membership at next month's meeting. Mr. Edwards advised that the Township will get the revised agreement tomorrow. Mr. McFadden responded that agreement has had a few revisions. The purpose of this agreement is to set forth the mutually agreed upon shared responsibility and structure for the volunteer fire company's finances and administrative support. Basically, effective January 1, 2017, the Township will take over doing the books for the fire company. Each year, the fire company will submit a budget to us, as line items in our budget just like it is done with the recreation department. We will administer that budget. Every month, a list of expenditures will be approved and the Township will cut the checks to the vendors. Short discussion also took place with regards to the term limit of the agreement.

10. Correspondence - None.

11. Seminars - None.

12. Executive Session - The Board convened a brief executive session to discuss one personnel matter.

ADJOURN – Upon return to public session and since there was no further business to come before the Board, at 9:30 p.m. the meeting adjourned. Motion by Mr. Troy, second by Mr. Edwards. Vote in favor was unanimous [4-0].

Respectfully submitted,

Sheryl Snyder
Township Secretary